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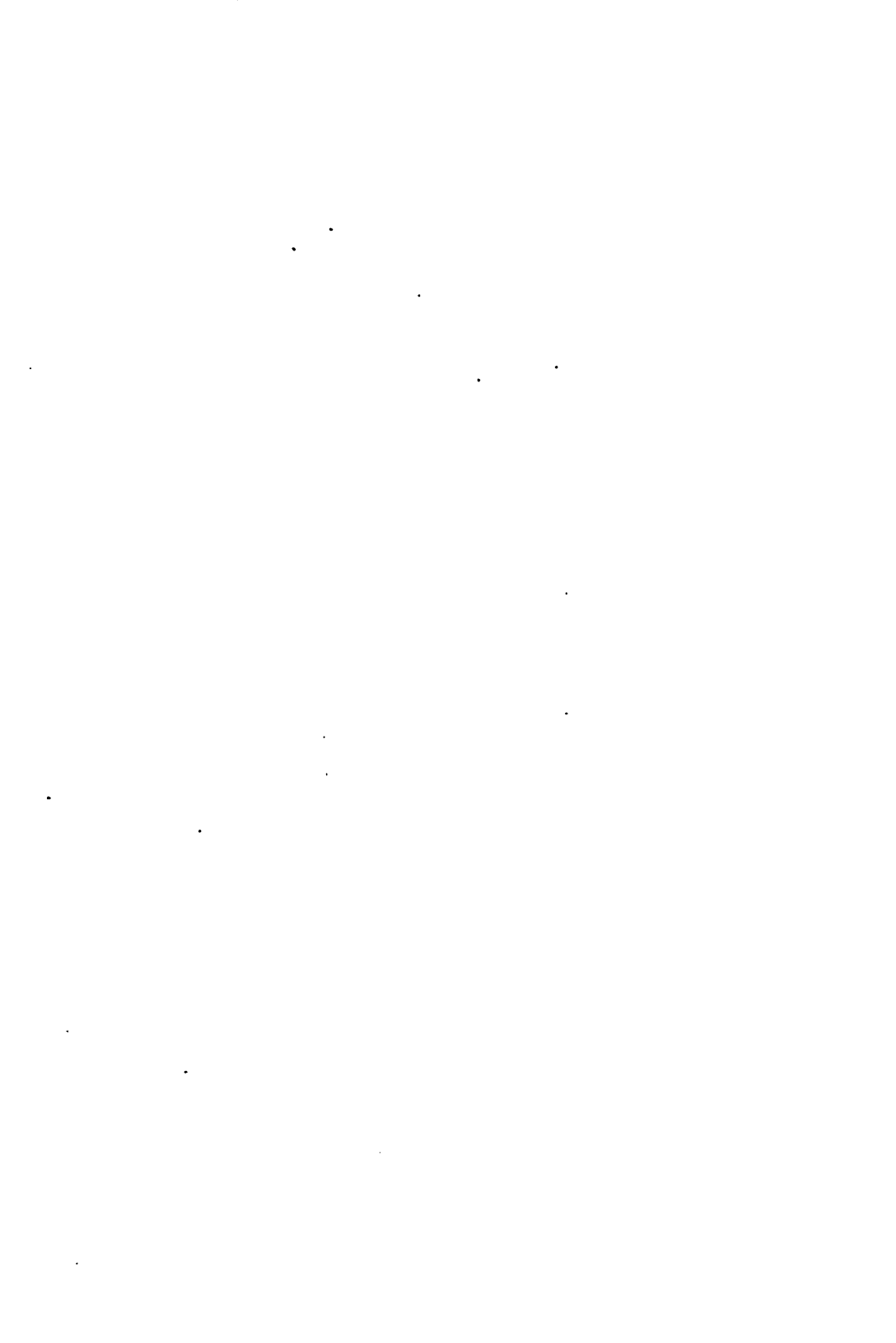
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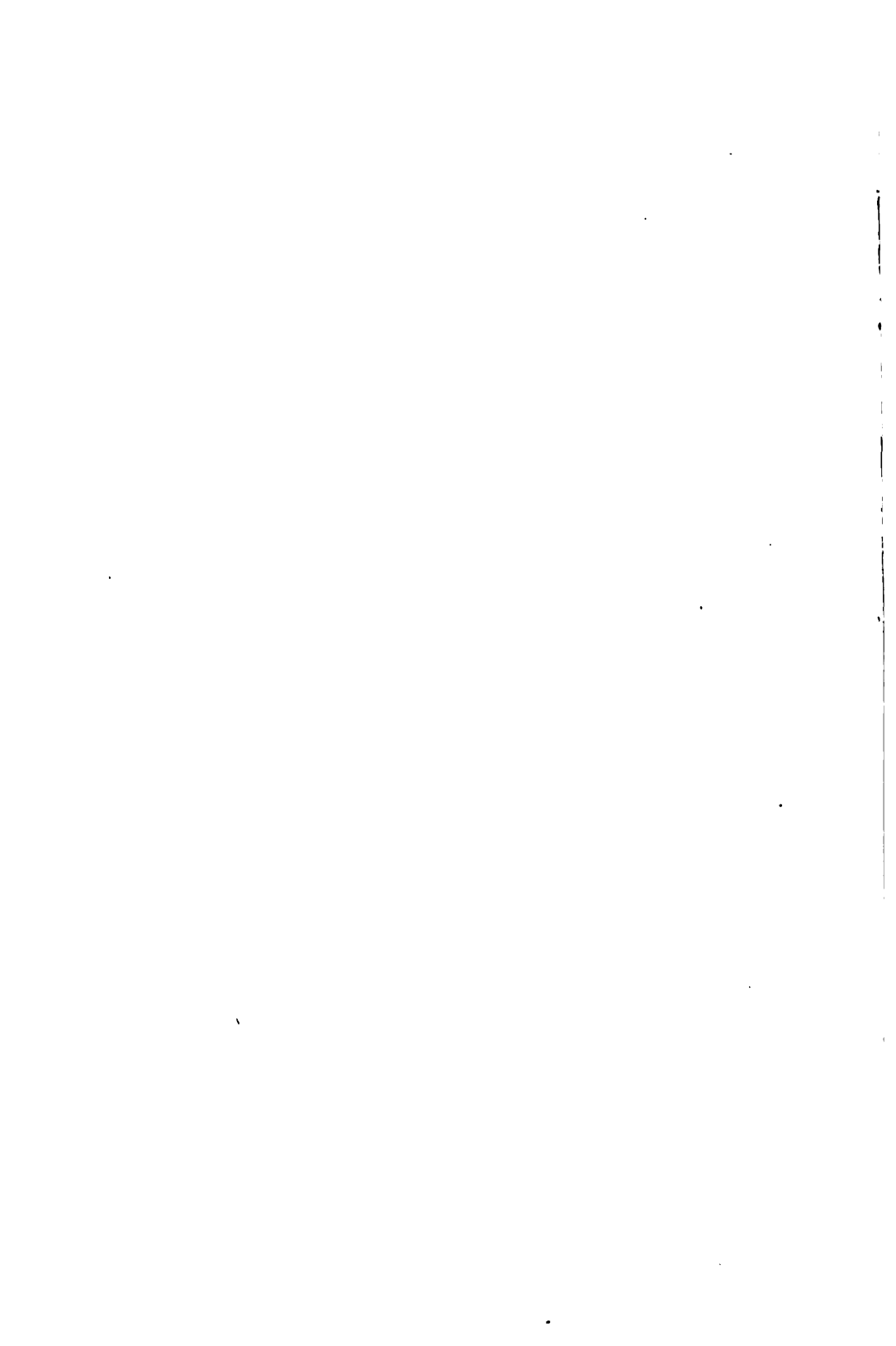














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# ° RHODE ISLAND

## ITS MAKING AND ITS MEANING

A Survey of the Annals of the Commonwealth from its  
Settlement to the Death of Roger Williams

1636-1683

BY

IRVING BERDINE RICHMAN

WITH AN INTRODUCTION BY

JAMES BRYCE, M.P., D.C.L.

AUTHOR OF "THE AMERICAN COMMONWEALTH"

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VOLUME II

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[*Continued*]





## CHAPTER IX

### THE CODDINGTON "COUP D'ÉTAT"

**I**N 1650,—the year in which the organization of Providence Plantations may be said to have been completed,—the condition of Providence itself was not materially different from what it had been a decade before. There had been some increase in population, but not much; the total inhabitants were probably less than two hundred. Some new houses, log or rudely framed, had been erected on the town street, and the town mill had become a distinct public institution. The trades, however, were hardly represented at all, as may be gathered from Roger Williams's statement, in a letter written in 1649 to John Winthrop, Jr., that the town had no smith. Nor can it with truth be said that the occupation of the people was in the ordinary sense agriculture. It was rather that of the herdsman or drover; for, while cattle were scarce, and there were as yet few oxen and still fewer horses, of swine and goats there was a great abundance. Upon these, eked out by game and fish and Indian corn, the people subsisted; and over these, as common depredators, the people wrangled.

With Aquidneck, or Rhode Island, in 1650, and particularly Newport, the situation was markedly more favorable. To begin with, the Island itself was (as it still is) a spot more salubrious, fertile, and fruitful than most parts of the Mainland. Says Edward Winslow, writing in 1646, "and for that little island of Rhode Island they [the Antinomians] were forced to shelter in, take notice 'tis 30 miles about, very fruitfull and plentifully abounding with all manner of food the Country affordeth, and hath two Townes besides many great Farmes well stocked in the same."<sup>1</sup>

Two of these farms, indeed—the one owned by Coddington and the one owned by William Brenton—were, even in 1650, magnificent estates. The former (comprising some seven hundred and fifty acres) was in two tracts. The first extended northwestward from Newport as far as Coddington Cove, and northeastward as far as Miantonomy Hill.<sup>2</sup> It was diversified by upland and vale, meadow and wood; possessed on the west of a wide bay frontage; and stocked generously with horses, cattle, and sheep,—the latter the finest of English ewes and rams (black and white), and in a special sense the pride of their owner.<sup>3</sup> Upon taking the estate into possession, Coddington built a house on

<sup>1</sup> *Hypocrisy Unmasked*, pp. 79, 80. The commissioners of Charles II., writing in 1665, state: "In this Province is the best English grasse and most sheepe, the ground very fruitfull; . . . corn yields eighty for one, and in some places they have had corne twenty-sixe yeares together without manuring."—*R. I. Col. Rec.*, vol. ii., p. 124. ¶

<sup>2</sup> Rider's *Hist. Tract No. 4*, p. 51.

<sup>3</sup> *Mass. Hist. Coll.*, 4th ser., vol. vi., p. 319, vii., p. 279.

this tract at the cove. The second tract lay to the south of the town, and was more diversified and picturesque even than the first. Here were hills crowned by spruce, cedar, and hemlock trees, interspersed with oak and maple; here were luxuriant valleys enshrining bright-eyed pools and ponds; and here, too, were masses of rock, fantastic in outline and hoary-headed, that ere long by sheer force of their presence dictated the bestowal of the appellation "Rocky Farm."

The Brenton estate comprised some four hundred acres to the east of the first Coddington tract. Later on, Brenton purchased land near the present Fort Adams, where he built, with materials brought from Boston, a large brick house capped by four chimneys, and laid out the grounds in orchards and gardens. He named the place Hammersmith, in honor of Hammersmith, Middlesex, England, the home of his youth.<sup>1</sup>

If the contrast between Providence and Aquidneck be not already sufficiently indicated, it may be added that upon both the Coddington and Brenton farms, as upon other less opulent Aquidneck estates, good English wheat, oats, rye, barley, and peas were harvested, to say nothing of good hemp and flax, and good English apples; while, as for cheese, butter, honey, venison, fowl and fish, wild strawberries and blackberries, hickory nuts and chestnuts,—all were to be obtained in ample measure.<sup>2</sup>

<sup>1</sup> Elizabeth C. Brenton's *History of Brenton's Neck*, pp. 4-7.

<sup>2</sup> J. O. Austin's *Journal of William Jefferay*, p. 29.

But it is not only the environs of Newport at this period that merit our attention ; Newport has claims of its own. The settlement had been ordered to be pitched "by the seaside southward," or, more accurately, westward, and as quickly as possible the tangled swamp which hindered access to the beach had been cleared by help of the Indians.<sup>1</sup> At the spot where "long wharf" reaches into the harbor there was a cove, and about the head of this, upon upward sloping ground and amid stately trees, the first street (Thames Street) had been run, and the first house-lots laid off ; very likely under the supervision of William Brenton, for he was a skilled surveyor, and had brought with him from England a commission, stamped with the likeness and signature of King Charles I., authorizing him to take a certain proportion to the mile of all the lands which he might survey in the New England colonies.

As residents of Newport in 1650 (when all told the population may have been about three hundred<sup>2</sup>), we find the Eastons, the Bulls, the Dyers,

<sup>1</sup>According to a tradition (recorded by Elizabeth Brenton) Nicholas Easton, William Brenton, and Thomas Hazard made a bargain with the Indians to clear the swamp for a coat with brass buttons. It was the buttons, however, rather than the coat that the Indians coveted, for on receiving the garment they cut off the buttons and strung them for a necklace.

<sup>2</sup>Something as to the relative population of Providence and Newport in 1650 may be gathered from the act passed in that year, that Providence should keep in its magazine "one barrell of powder, five hundred pounds of leade, six pikes and six muskets"; and Newport, "three barrells of powder, one thousand weight of leade, twelve pikes, and twentie foure muskets." In 1651, the number of freemen in Newport was sixty-five or seventy ; in 1655, the number of freemen in Providence was forty-two, and in Newport, ninety-six.—*R. I. Col. Rec.*, vol. i., pp. 223, 299 ; Staples' "Annals of Prov.," *R. I. Hist. Coll.*, vol. v., p. 82.

the Hazards, the Clarkes, the Goulds, the Shearmans, the Cranstons, the Jefferays, and the Coggeshalls; and not only so, but William Coddington had built there a town house,<sup>1</sup> and William Brenton had at least begun to improve his town allotment, extending from the waterside to the present Spring Street, and bounded on the north by New Lane, now Mary Street. The company, it is needless to say, was distinguished. It was so in the threefold aspect of extraction, education, and wealth.<sup>2</sup> In

<sup>1</sup> Coddington, in a letter to John Winthrop, Jr., dated from New Lodge in Newport, February 19, 1651, expressly mentions his "towne howse"; whether this was the house dismantled in 1835 is a question. Stephen Gould, writing to John Howland on December 13, 1835, states: "The House in Marlborough street once owned by the venerable Governor William Coddington is now taking down. . . . It was built by Rowland Robinson who was the first of that name who settled in Newport, and was the first contract he made as builder on his removal from Boston. This information I had from his grandson, the late Thomas Robinson. . . . It is not in my power to state the year that it was built; it is probable, however, that it was erected from 1665 to 1670, as I find Rowland Robinson mentioned on Friends' records in that space of time. It has been told me that William Coddington's first residence was near what is called now Coddington Cove.—MS. in R. I. Hist. Soc. Cabinet; see *Mass. Hist. Coll.*, 4th ser., vol. vii., p. 283, for mention of the "towne howse."

With regard to the houses of Newport in general, at this time, Mr. Austin (*Jefferay's Journal*, p. 30) says: "Our houses are yet small, though a few have good ones (with some glass from England for their windows); and our furnishings of them are not like what we used in our old homes, but much poorer. Some have 'tis true a little plate with books of value but dishes are for the most part of wood or earthen, and our tables, chairs, and beds but rude, save a few brought across the sea with hazard and much expense."

<sup>2</sup> Benedict Arnold removed to Newport in 1651, and Francis Brinley came in 1656. Austin, commenting upon Newport society about 1650, says: "Mr. Arnold is late of Cheselbourne in Dorset and traceth to Kings, as doth Mr. Cranston through the Earls of Crawford. So also Mr. [Richard] Smith, who sold possessions in Gloucestershire choosing to dwell near us at Wickford, and myself [William Jefferay] have been esteemed as of gentle blood" (*Ibid.*, p. 27). Francis Brinley's father, Thomas Brinley, Esq.,

consequence, at the time when Providence was unprovided even with a smith, Newport could boast not only of smiths, but of joiners, masons, coopers, and cordwainers.<sup>1</sup> Nor was the Island in this early time wholly without the foreshadowings of commerce : it is virtually certain that horses were carried in sloops to Barbadoes<sup>2</sup> to be exchanged for molasses, sugar, and indigo ; and that the building of sloops and other craft had become an established industry.<sup>3</sup> Then again, at the very door of Newport, and tributary to all southern Aquidneck, was the island of Conanicut. The place had been acquired by the Narragansetts, through conquest, at a period probably but little remote from the date of the sale to Coddington and his friends of Aquidneck itself ; and while the Indians still retained the fee, they had given to the whites the usufruct, thereby materially strengthening and enlarging the resources of the greater island in the way of grass for stock.

Indeed, these two insular formations in Narragansett Bay, Aquidneck and Conanicut, were in a variety of respects strikingly adapted to the position and dignity of a miniature independent State. A

was of Datchet, Buck's County, and held under both Charles I. and II. the office of Auditor-General of the Revenues.—*R. I. Hist. Soc. Pub.*, n. s., vol. vi., p. 104. The descent of the Cranstons is traced in *Narr. Hist. Reg.*, vol. vii., p. 305 *et seq.*

<sup>1</sup> Austin, *Jefferay's Journal*, p. 28.

<sup>2</sup> On May 21, 1656, an order of court was made "touching some horses which Mr. William Coddington is reported to be transporting to Barbadoes."—*R. I. Col. Rec.*, vol. i., pp. 337, 338.

<sup>3</sup> It would seem that in 1646 a ship for New Haven was built at Portsmouth.—Weeden's *Economic and Social Hist. New Eng.*, vol. i., p. 154.

person of imagination—more particularly an Englishman—might see in them an interesting epitome of Great Britain : with the township of Portsmouth for Scotland, the township of Newport for England, and with Conanicut, still barbarous and only partially subdued, for the Emerald Isle.

Nor was such a person wanting at the time of which I write. William Coddington had for some years been meditating plans for making himself king of this lesser Britain, and in fact had put forth two distinct attempts in that direction,—the first in 1644, when he broached an alliance with the United Colonies, and the second in 1648, when he broached such an alliance once again. Both attempts had failed largely because the United Colonies would receive the Island only as part of Plymouth or of the Bay ; but the second failure (September 7, 1648) had put Coddington upon his mettle, and, on the 31st instant thereafter, he wrote to John Winthrop, Jr., to whom he had sold some sheep : " I shall sudenly leave the Iland & I much desire you will send for your sheepe. . . . I am for England by the next (if the Lord will) and shall be glad & redie to serve you ther & soe in hast."<sup>1</sup> In other words, our magnate had resolved to lay the case of the Island before the English Government, and to obtain for himself, if he could, recognition as proprietor and appointment as Governor. He evidently sailed for his destination the latter part of October, and from Boston, for, on October 14th, he again wrote to Winthrop :

<sup>1</sup> *Mass. Hist. Coll.*, 4th ser., vol. vi., p. 321.



"You may please to order me it [payment] in the Baye whither I now am hasting to take passage for England with my daughter."<sup>1</sup>

So he was gone, and with motives upon the whole more to be condemned than applauded. As intimated in the last chapter, he had in high degree that aversion for Providence, Warwick, and the Gorton element in Portsmouth which wealth tintured with aristocracy ever has for poverty and radicalism; but this may be pardoned him. His aversion may even be admitted to have been not wholly ill-founded, for there certainly was danger that Providence Plantations would perish through excess of individualism. That for which he must be condemned is, first, his attempt — so wholly illegal as fairly to be termed treasonable — to erect Aquidneck into a separate commonwealth, in the face of the Patent of 1644, and under the shelter of the United Colonies; and, second, his attempt (successfully to be made) to have the Island, along with Conanicut, created a separate commonwealth by an Order in Council obtained largely through misrepresentation. One quality, had Coddington possessed it, might have served in a measure to rescue his disingenuousness from contempt, and that was masterfulness of spirit. But masterfulness, as it chanced, was the one quality which he conspicuously lacked, and which to lack was — as he quickly learned — fatal to any ambition to "stand forth in sudden purple."

On reaching England, Coddington sought out

<sup>1</sup> *Mass. Hist. Coll.*, 4th ser., vol. vii., p. 281.

Sir Henry Vane. It is inconceivable that he could have let Vane into the secret of his mission, which was the overthrow of the patent which the latter had been chiefly instrumental in procuring, but he kept on excellent terms with him socially, dining at his house so often that he could allude to the circumstance as one "usall with me." He also saw Hugh Peters, then regularly established at Whitehall as one of the preachers before the Council of State. "I was mery with him," he writes, "& called him the Arch B. B: of Canterberye in regard of his attendance by ministers & gentlemen & it passed very well." And, indeed, may not it have been that it was through the mediation of Peters that Coddington at length gained the ear of the council for his project? The clergyman was an avowed enemy of the patent granted to Roger Williams (having been concerned, along with the Rev. Thomas Welde, in seeking to offset it by the Narragansett Patent), and any aid that he could render our magnate would no doubt have been in the line of his inclinations.<sup>1</sup>

But, be that as it may, on March 6, 1651, Coddington's petition was referred by the Council of State to the Committee of the Admiralty for their report. The averments and prayer of the petition are set forth in substance in the Calendar of British State Papers, Colonial, for 1651,<sup>2</sup> and are as follow: that the petitioner was one of

<sup>1</sup> It should, however, be noted, that in 1671 Roger Williams says that when he met Peters in London, the latter told him he was for "liberty of conscience and preached it."—*Narr. Club Pub.*, vol. vi., p. 355.

<sup>2</sup> Quoted in Rider's *Hist. Tract No. 4.*, pp. 45-47.

the first planters in New England; that about thirteen years past he discovered two small islands called "Aquetnet, als Rhode Island, and Quinunagate [Conanicut] lying within Narragansett Bay, which he purchased of the Indians and has quietly enjoyed ever since; that, desiring to govern by English law and to have dependence on the Commonwealth, he prays for a grant of those islands from Parliament, with such immunities as have been granted to others in like cases."

Edward Winslow, as agent for Plymouth, was given notice of the pendency of the foregoing petition, and, appearing in opposition thereto, set up a claim for his colony to the two islands in question. The claim, however, was disallowed, and in April the Admiralty Committee reported favorably for Coddington. Accordingly a commission, bearing date April 3, 1651, and signed by John Bradshaw, was issued appointing him "Governor of Acquedneck alias Rhode Island and Quinunnu-gate island." He was empowered to administer the law,

"so far as the constitution of those places will permit, in the name of the keepers of the liberties of England by authority of Parliament; to raise forces for defense; to appoint annually not more than six Councillors, to be nominated by the freeholders of the towns of Newport and Portsmouth; and to tender the engagement to councillors as well as electors."

In case of his death, the council was authorized to choose a Governor until Parliament or the Council of State gave further order. Dr. Henry E. Tur-

ner, in his interesting pamphlet, *William Coddington in Colonial Affairs*, calls merited attention to the disingenuousness of the claims preferred by the subject of his animadversions before the Council of State: as, for example, of the claim that he, the petitioner, had discovered the islands; of the claim that he individually had purchased them of the Indians; and of the claim, implied in the expression of a desire to govern them by English law, that they had not hitherto been included in any grant.

But Coddington had his commission, and with it in hand appeared in Providence Plantations sometime in August, 1651. The reception accorded him was by no means flattering. In fact, no sooner did it become known that he had been made Governor of the islands for life, than a protest of indignation and consternation was raised throughout the colony.

Our magnate on starting for England had had the fortune to leave behind him, in a sense both personal and political, a fair share of enemies. In 1648-49 he had quarrelled with William Dyer over "ten head of great cattle" which he alleged that Dyer had taken from Rocky Farm and "converted to his own use"; and we know from Roger Williams that the same year political dissensions, following the old line of religious cleavage noted by Winthrop, had broken forth upon Aquidneck, whereby there were arrayed in two camps the followers of Coddington and Partridge (the conservatives) and the followers of Easton and John Clarke (the

liberals).<sup>1</sup> Now, therefore, that the magnate had returned, his ancient foes were at his heels. Meetings were held at Newport, Portsmouth, and Providence, and decisive action was planned. By the Providence meeting Roger Williams was earnestly entreated to betake himself again to Westminster, and—on the assumption that the Patent of 1644 had been vacated by the grant to Coddington<sup>2</sup>—to procure if possible a separate charter for Providence and Warwick.<sup>3</sup>

"Much Honored," wrote William Arnold to Massachusetts from his Pawtuxet outpost, on September 1, 1651, "Whereas Mr. Coddington has gotten a charter of Rhode Island and Canonicut Island to himself he has thereby broken the force of their charter that went under the name of Providence, because he has gotten away the greater part of that colony. Now these company of the Gortonists that live at Shawomet and that company of Providence are gathering of £200 to send Mr. Roger Williams unto the Parliament to get them a charter of these parts; they of Shawomet have given £100 already and there be some men of Providence that hath given £10 and £20 a man to help it forward with speed. . . . It is a great pity and very unfit that such a company as these are, they all stand professed enemies against all the united colonies, that they should get a charter for so small a quantity of land as lieth in and about Providence, Shawomet, Pawtuxet and Coweset, all which now Rhode Island is taken out from it, is but a strip of land lying between the Colonies of Massachusetts Plymouth and Connecticut, by which means if they should get them a charter, of it there may come some mischief

<sup>1</sup> *Mass. Hist. Coll.*, 4th ser., vol. vi., p. 321; *Narr. Club Pub.*, vol. vi., p. 166.

<sup>2</sup> *R. I. Hist. Coll.*, vol. v., p. 89.

<sup>3</sup> As early as October 9, 1650, Williams writes: "Just now a letter from R. I. comes for my voyage to Eng: but as yet I resolve not." On October 6, 1651, he writes: "Being now bound, resolvedly, (if the Lord please) for our native country," etc.—*Narr. Club Pub.*, vol. vi., pp. 202, 228.

and trouble upon the country . . . for under the pretence of liberty of conscience about these parts there comes to live all the scum, the runaways of the country." And in a postscript Arnold repeats: "They are making haste to send Mr. Williams away. . . . I humbly desire my name may be concealed lest they hearing of what I have herein written, they will be enraged against me, and so will revenge themselves upon me."<sup>1</sup>

Meanwhile upon the Island there was equal haste. The object here was to have Coddington's commission annulled, and forty-one of the freemen of Portsmouth joined with sixty-five of the freemen of Newport in soliciting John Clarke to go to England for that end. Moreover, William Dyer, seeing in this his opportunity to square accounts with his traducer regarding the "ten head of cattle," and having "maid over his estaite" in security for ready funds, placed himself at Clarke's disposal as coadjutor and private secretary. As for Roger Williams in this connection, failing of the £100 which, according to the distempered imagination of Arnold, Providence was "gathering," and likewise of the £100 which, according to the same imagination, the Gortonists had gathered already, he was forced to raise money for the trip by selling out his trading business, which he did to Richard Smith, his neighbor at Cawcamsquissick.

By special permission of the Bay, Williams sailed from Boston in November, Clarke, it is said, going in the same ship.<sup>2</sup>

<sup>1</sup> *Narr. Club Pub.*, vol. vi., p. 229.

<sup>2</sup> Dr. Palfrey doubts this, suggesting that Clarke would hardly venture to sail from Boston so soon after the imposition upon him of the fine in the

Some interesting events had occurred in the Old Home since the visit of Williams in 1643-44, and with these — as, for instance, the execution of the King, the overthrow of Prince Rupert by Blake at sea, and the campaigns of Cromwell in Ireland and Scotland — our traveller had, as we know from his Winthrop letters, made himself familiar. It probably, however, was only after landing that he learned of the battle of Worcester, fought on September 3d.<sup>1</sup> This victory by Cromwell had again raised the question which had been raised after Naseby, namely, the settlement of the nation; and with this question Williams must have found both Vane and Cromwell intensely occupied. But despite occupation Sir Henry received his friend with the old-time cordiality, making him welcome at Whitehall. He entered heartily into the work of undoing the grant to Coddington; lending aid in preparing a petition to the Council of State, to which Clarke subscribed, and in securing action upon it afterwards.

Still, various obstacles were encountered. Coddington had apprised his English agent of the effort to be made against him, and the latter had appealed to the council; a proceeding in which he

Witter affair — an incident to be related in these pages farther along.—*Hist. New Eng.*, vol. ii., p. 355, note.

<sup>1</sup> It was to Sir Thomas Urquhart, the translator of Rabelais, captured at the battle of Worcester, that Roger Williams rendered the service which is so handsomely acknowledged by the recipient in his *Introduction to the Universal Language*, published in 1653. "He [Williams] did approve himself a man of such discretion," says Urquhart, "and inimitably-sanctified parts, that an Arcangel from heaven could not have shewn more goodness with less ostentation."—*R. I. Hist. Soc. Pub.*, n. s., vol. viii., p. 135.

had the countenance and backing not only of the Plymouth and Connecticut agents, Edward Winslow, Edward Hopkins ("both in great place"), and George Fenwick, but also of Arthur Haslerig, a leader in Parliament and Fenwick's father-in-law.<sup>1</sup> But at length, on October 2, 1652, an order was obtained vacating Coddington's commission, and, for the present, authorizing the colony of Providence Plantations to proceed with the administration of government under the Patent of 1644.<sup>2</sup> Armed with letters embodying this order, Dyer — no doubt to his great personal satisfaction — sailed for New England, arriving in Rhode Island in February, 1653. "I hope it may have pleased the Most High Lord of Sea and land," Williams wrote to Providence and Warwick, on April 1, 1653, "to bring Captain Christen's ship and dear Mr. Dyre unto you, and with him the Councill's letters . . . for the confirmation of the charter until the determination of the controversy." The controversy, however, hung on, and for the purpose of watching it, as well as for other purposes private in their nature,

<sup>1</sup> *Narr. Club Pub.*, vol. vi., pp. 236, 255.

<sup>2</sup> "We have thought it necessary for the present, and until further direction and order be given by the Parliament or this Council for settling that Colony, to authorize you and do hereby authorize you to take care for the peace and quiet thereof," etc. — Palfrey's *New Eng.*, vol. ii., p. 557, note.

Warwick (July 29, 1652) had been in favor of sending to England a joint commission from the Mainland and the Island to aid Williams in securing a renewal of the "former charter"; as matters stood, he was authorized to act only for the Mainland. It was likewise to be the duty of the commission "to bring in the Narragansett Bay which Coweset men strive for." Providence, however, had preferred to let their agent do his work in his own way.



both Williams and Clarke continued their stay abroad.<sup>1</sup>

The former found much in which to take interest. The question of Freedom of Conscience, although not having the novelty, nor quite the bearing upon his mission, that it had had eight years before, was still to him a question of the highest moment for both Old England and New. He therefore busied himself in bringing out, in rejoinder to Cotton's *Bloody Tenet Made White* (published in 1647 in reply to his own *Bloody Tenet*), his book *The Bloody Tenet yet more Bloody*, his *Hireling Ministry None of Christ's*,<sup>2</sup> and his *Experiments of Spiritual Life and Health* — the latter dedicated to Lady Vane. He also made a further direct appeal to Parliament — companion-piece to his *Queries of Highest Consideration* — in behalf of Toleration, in a preface to *A Fourth Paper Presented by Major Butler*.<sup>3</sup> Indeed, his zeal for religious and political freedom, re-enforced by affection for the memory of Sir Ed-

<sup>1</sup> Clarke's object, in part at least, was to arrange for the collection of an annuity of £20 left to his wife by her father out of the manorial estate of Wrestlingworth in Bedfordshire. The object of Williams, apparently, was also pecuniary in its nature, for, writing to Gregory Dexter, on September 8, 1652, from Mr. Davis's house at the Checkers in St. Martin's, he says: "When my public business is over, I am resolved to begin my old law-suit."—Backus, vol. i., p. 439; *Narr. Club Pub.*, vol. vi. p. 236.

<sup>2</sup> This pamphlet was provoked by the question of tithes — or a State-paid clergy — which raged furiously during the time of Williams's stay in England.—Masson's *Milton*, vol. iv., pp. 514, 517, 567, 615.

<sup>3</sup> Professor Masson says with regard to Butler's "Paper": "Evidently here was a protest in favor of absolute Voluntarism and complete Toleration. We have it on the authority of the persons who tendered the protest . . . that they regarded Cromwell as essentially with them in the Toleration part of it."—*Ibid.*, p. 393.

ward Coke, his dead patron, led him at this time to address a beautifully worded note to Sir Edward's daughter, Mrs. Anne Sadleir, living at Standon, Puckridge, and to send with the note a copy of his *Experiments*.

But Mrs. Sadleir proved to be a reactionary of the bitterest type, and promptly returned the gift with the tart observation: "I have given over reading many books, and therefore with thanks have returned yours; . . . for your new lights that are so much cried up, I believe in the conclusion they will prove but dark lanterns"; and to a second kindly note from Williams, commending Milton's *Eikonoclastes*, the stern lady made retort:

"For Milton's book, if I be not mistaken that is he that has wrote a book of the lawfulness of divorce; and if report says true, he had at that time two or three wives living. This perhaps were good doctrine in New England; but it is most abominable in Old England. For his book that he wrote against the late king . . . you should have taken notice of God's judgment upon him who stroke him with blindness. . . . God has began his judgment upon him here,—his punishment will be hereafter in hell."<sup>1</sup>

Despite the severity of Mrs. Sadleir's prediction for Milton,—then Latin Secretary to the Council of State,—Williams continued to profit by the acquaintance with him, reading to him in Dutch, and receiving in return help in the classic tongues.<sup>2</sup> He also came personally to know Cromwell, of

<sup>1</sup> *Narr. Club Pub.*, vol. vi., pp. 241, 251. Milton's first distinct premonitions of blindness seem to have come to him in 1648-49. He was totally blind by March or April, 1652.—Masson's *Milton*, vol. iv., pp. 80, 427, 428.

<sup>2</sup> *Narr. Club Pub.*, vol. vi., p. 262.

whom he speaks as pleased "to send for me and to entertain many discourses with me at several times," and upon whose sympathetic ear, we may be very sure, the claims of Soul Liberty were eloquently urged. Meanwhile our traveller was in receipt of a letter from Providence Plantations, dated October 28, 1652, thanking him for his "care and diligence to watch all oportunities to promote our peace," and intimating that it would be a public advantage were the "honourable State of England . . . to invest, appoint and empower yourselfe to come over as Governor of this Collony for the space of one yeare." But Williams wisely put this crown from him, and, war with Holland having broken out, and Sir Henry Vane "having the navy of England mostly depending on his care, and going down to the navy at Portsmouth," he accepted an invitation tendered him by both Sir Henry and Lady Vane, to pass some weeks at Belleau, Vane's Lincolnshire home. Hither he accordingly repaired, and here he was quartered while Blake and Van Tromp were cudgelling each other to admiration in the Channel, and while Cromwell, enraged, was turning Parliament out-of-doors with loud prayers to be delivered from Sir Henry Vane.

The year 1653 (memorable for the installation of the Lord Protector) passed, and 1654 came, and still — what with Cromwell's reorganization of the Council of State and the retirement of Vane — no opportunity was given further to discuss the merits of the usurpation of Coddington. Williams, who was short of money, and who for some time had

been eking out a living by giving to the sons of members of Parliament private lessons in the languages by the conversation method, and who withal had been receiving most disheartening reports of the bickerings in Providence Plantations, therefore decided to go home. He left John Clarke — who was without children, and whose wife was with him<sup>1</sup> — in charge of the affairs of the colony in England, and reached Boston about June or July, 1654; bringing word from Lord President Lawrence, of the council, delivered at the last moment at Portsmouth, that the board had "passed three letters as to our business: first, to encourage us; second, to our neighbor Colonies not to molest us; and third, that liberty of conscience should be maintained in all American plantations."<sup>2</sup> He also brought from the council a letter commanding the government of the Bay thenceforth to allow him free passage through its territory<sup>3</sup>; and a letter from Vane to his own colony, couched in severe terms of rebuke for its contentiousness.

To recur now to the course of events in Providence Plantations immediately after the arrival of Coddington with his commission in August, 1651.

<sup>1</sup> This is presumed from the circumstance that while Clarke was in England (May 12, 1656), he and his wife executed a joint power of attorney for the collection of the legacy to the latter from her father.—Backus, vol. i., p. 439.

<sup>2</sup> *Narr. Club Pub.*, vol. vi., p. 261.

<sup>3</sup> It is interesting to note that the name of Sir William Masham — the same, probably, to whom Williams was private chaplain at the time he proposed for the hand of Lady Barrington's niece — is among those subscribed to this letter.

Hardly was Roger Williams *en route* by way of Boston for England, when (October 23d) the two towns of the Mainland met in Warwick,<sup>1</sup> chose Samuel Gorton President, and appointed commissioners to meet at Providence on November 4th. The commissioners assembled on the day named, and passed a resolution, that

"whereas Mr. Nicholas Easton, formerly chosen President of Providence Plantations, hath of late deserted his office, and hee, together with the two towns upon Rhode Island, viz. Portsmouth and Newport, have declined and fallen off from the established order of civill government and incorporation amongst us, by means of a commission presented upon the sayd Island by Mr. William Coddington, Wee the rest of the Townes of the sayd jurisdiction . . . doe profess ourselves unanimously to stand imbodyed and incorporated as before by virtue of our charter." <sup>2</sup>

Samuel Gorton was then chosen moderator, and the usual business of a Court of Commissioners was transacted.

Upon the Island, in the meantime, the new Governor found himself confronted by something like a small rebellion. Captain Richard Morris was, it seems, leader in the affair, breaking in upon the Island court, as it was sitting in Coddington's "towne howse," and Cromwell-fashion bidding it disperse. Nicholas Easton, too, played a part, for Coddington says (February 19, 1652) that "after this Mr. Easton delivered a profecye aginst my selfe,

<sup>1</sup> *Prov. Rec.*, vol. xv., p. 49. The Warwick meeting was evidently a *Landsgemeinde*; it readopted for the Mainland the constitution hitherto in force for the whole colony.

<sup>2</sup> *R. I. Col. Rec.*, vol. i., p. 233.

Capt. Partridge & the Dutch Governor's agents." <sup>1</sup> Just what the Dutch Governor's agents were doing on the Island at this juncture does not explicitly appear; but their presence not improbably was connected with negotiations which our magnate was conducting with New Netherlands for the support of his tottering vicegerency by Dutch pikes and snaphances.

The sequel is tersely related in the following communication from the Manhattoes to the States-General at the Hague:

"I cannot omit stating here that the late Commissary, Adrian Keyser, and Augustin Herman going hence to Rhode Island in New England, on the 14th of April [1652, only two months after the trouble over the Dutch Governor's agents], Ensign George Baxter [an Englishman residing on Long Island] gave them a letter for William Coddington, Governor there, which letter the Court or Assembly of the people of Rhode Island intercepted and opened, accusing the bearers of it, with the Governor and Director [of New Netherlands, Peter Stuyvesant], and Baxter of conspiracy and treason against the State of New England, inasmuch as among other things the Director in said letter offered Governor Coddington some soldiers to be employed against the Inhabitants of Rhode Island, Wherefore the bearers of the letter were obliged to give bail in the sum of £100 Sterling until their innocence should be proved." <sup>2</sup>

<sup>1</sup> *Mass. Hist. Coll.*, 4th ser., vol. vii., p. 283.

<sup>2</sup> *Docs. Relating to the Col. Hist. of N. Y.*, vol. i., p. 497. Coddington's attitude toward the Dutch had a good deal to do with the annulling of his commission. Thus the letter brought over by Dyer stated: "The consequence [of Coddington's course] hath been the bringing of things there into great disorders and extremities . . . by means whereof the whole Colony is exposed as a prey to the Dutch the enemies of this Commonwealth."—Palfrey's *New Eng.*, vol. ii., p. 557.

Nor was this the last of Coddington's trials during the spring of 1652, for, no later than March 18th, we find him appealing piteously to John Winthrop, Jr., "to come over unto mee & to bring some friend of yours with you." "I doe hope God hath reserved you to be a friend to me in this needfull tyme of trouble. Sir, be pleased to come before this day sennit, the souner the better." The occasion of this lament was that Captain Partridge had taken, upon civil execution, possession of a certain house, and that "the people" (with whom, it is evident, the captain was not a favorite), some twenty strong, "had come with guns and swords and stafs to dispossesse [him]"; whence a conflict and bloodshed.<sup>1</sup>

We have no evidence that Winthrop heeded Coddington's appeal. In fact, about this time our magnate found it altogether expedient to quit the Island for Boston for a season; and, before venturing to return, to set his hand (April 14th) to a paper reciting that,

"whereas the deed of sale of Aquidneck hath ever since its execution lain in the hands of William Coddington Esq., which being a great trouble to the . . . purchasers and freemen, I, the said William Coddington Esq., do by this writing promise to deliver the said deed to the purchasers, together with what records are in my hands belonging to the said purchasers and freemen; . . . and do hereby declare that I, the said William Coddington, Esq., have no more, in the purchase, of right than any other of the purchasers or

<sup>1</sup> *Mass. Hist. Coll.*, 4th ser., vol. vii., p. 284. Partridge was captured by the enraged Islanders and hanged.

freemen received, or shall be received by them, but only for my proportion."<sup>1</sup>

What a confession is here, in the light of the claim made by its author before the British Council of State, the year before, that he had discovered Aquidneck and Conanicut, and individually had purchased them of the Indians!

The Presidency of Gorton only lasted from October 23, 1651, to May 18, 1652. It nevertheless was marked by an occurrence so intensely Gortonian in character as nearly to disrupt the town of Warwick. John Warner, one of the original Warwick purchasers, and Jan Geraerdy, a Dutch fur-trader, had each married into the family of Ezekiel Holliman. In January, 1652, Geraerdy with several companions was on a trading trip to the Narragansetts, and, as was but natural, found shelter for his party and his goods in Warner's house. On coming to a reckoning at the end of his stay he and his host fell into a disagreement, which, failing of adjustment by arbitration, only reached an end with the disfranchisement of Warner by the town for inviting Massachusetts to carry out its long-cherished design of confirming its jurisdiction over that community.<sup>2</sup>

<sup>1</sup> Rider's *Hist. Tract No. 4*, p. 23. The letter brought by Dyer mentions Coddington's desertion of the Island.

<sup>2</sup> In the Warwick town archives there is a faded, crumbling document which, when copied, as it was some years ago, proved to be an offer of sale (dated March 22, 1652-53) by the original Warwick proprietors, Samuel Gorton, Randall Holden, John Greene, John Wickes, John [ ], Robert Potter, and Richard Carder, with some others, of "all their right or privileges procured by purchase or labour within the town," preparatory to their removal to a spot where "they might end their days in peace and



Gorton himself, moreover, had become involved in the affair, and — forced to the confession, on May 4, 1652, "that such men are fittest for office in this place that can with most ease undergoe the greatest Load of Ignominy and Reproach" — positively declined re-election as President of the Mainland towns, professing himself "one that hath his full burden already."

On May 18th, John Smith was chosen President. During Smith's incumbency — that is, from May, 1652, to May, 1653 — the Dutch War (caused chiefly by the British Navigation Act forbidding the importation into England of goods from Asia, Africa, or America, in any but English ships) broke forth; a law was passed against negro slavery; interesting letters were received from Roger Williams; and William Dyer returning, overtures were made by the Island toward a reunion of the dismembered commonwealth.

The law against slavery is notable, as (a law of Massachusetts alone excepted) the first step taken by an American colony toward the emancipation of the blacks. It provides that, "whereas there is a common course practised amongst Englishmen to buy negroes that they may have them for service, or slaves forever," it be ordered that "no black mankind, or white," may be forced to serve any man, or his assigns, longer than ten years.<sup>1</sup> The

quiet." But for some reason — perhaps because the offer found no takers — a removal was not made, and the settlement held together. — *Narr. Hist. Reg.*, vol. ii., p. 233.

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 243.

letters received from Williams were at least two : the first, dated soon after the arrival of the writer in England, stating that little could be done "till 3 weeks hence, when Sir Henry Vane, our cherished friend under God, comes up" ; and the second, dated September 8, 1652, announcing : " It is God's mercy, his very great mercy, that we have obtained this interim encouragement from the Council of State that you may cheerfully go on in the name of a colony until the controversy is determined." It was these letters which drew from the Mainland towns the communication of date October 28, 1652, suggesting to Williams that he procure his own appointment as Governor—a suggestion happily not adopted ; for, on December 24th, ensuing, Providence repudiated the suggestion as "contrarie to the liberties and freedom of the free people of this Collony, and contrarie to the end for which the sayd Roger Williams was sent."

Coming now to the matter of the overtures from the Island to the Mainland for a resumption of relations under the Patent of 1644, the first step consisted in two letters conveyed by William Dyer about February 15th and 18th, respectively, to the towns of Warwick and Providence, summoning them to assemble, "on Tuesday come seven nights, at portsmouth in Rood Iland att Mr. Baulstons House, ready to attend the Communication" of letters and orders from England. Accordingly, on the 25th of February, the Mainland appointed four commissioners to proceed to the Island. The

commissioners went as directed, but returned on March 9th without having been able to see or to procure a copy of the letters and orders in question. Thus matters hung till the 18th of March, when the town of Newport sent to the Mainland towns (by Benedict Arnold just removed from Pawtuxet) a letter enclosing a copy of the orders from England, and proposing that the next General Court of Election under the patent, regularly to be holden in May, meet at Newport; also that the general officers, "deputed and engaged when Mr. Coddington's Commission obstructed, be authorized to act until new bee chosen."

To this communication the Mainland made the somewhat evasive answer that they were ready to send commissioners to Newport at any time upon ten days' warning. No further word, however, was sent by Newport, and on May 16 and 17, 1653, the Mainland General Court met at Providence and elected colony officers as before, Gregory Dexter being chosen President. At this session, the Mainland notified the Island that, having received no response to their last letter, "wee are enforced to keep in the posture we are in." It was then voted by way of recognition of the orders from England, which among other things required the preparation of defences and equipment against the Dutch, that no provisions be furnished the latter, and that no vessels or goods be taken from them without permission of the General Court. It had already, on March 7th, been voted by Providence and Warwick, in their capacity as towns, to pre-

scribe for their inhabitants the form of engagement, dictated from Whitehall, requiring all to be "true and faithful to the Commonwealth of England, as it is now established, without a King or House of Lords."<sup>1</sup>

Meanwhile the two towns of the Island, which had likewise met on the 17th of May (at Newport), had performed some important acts. They had adopted a resolution that they were a "lawfull Assemblie," with power to elect colony officers and regulate colony affairs; had admitted twelve men as freemen, among whom was Benedict Arnold, and had chosen John Sanford, Sr., President. They also had voted to recognize the "body of lawes established by authoritie of the Charter," in so far as not modified by the orders from the Council of State, and to receive as general officers from Providence and Warwick whomsoever these towns might see fit to elect. But the next day certain persons from the Mainland (evidently representatives of a minority) presented themselves, and Thomas Olney was chosen Assistant for Providence, and Randall Holden for Warwick.

The two acts of most importance performed by this Island Assembly were a formal demand upon Coddington to deliver up the public statute book and book of records, and the passage of certain resolutions, to wit : to aid the English upon Long

<sup>1</sup> Some time after the accession of Charles II., that is, on June 29, 1667, the town of Warwick ordered the leaf containing the oath in question to be torn from the records.—Staples' "Annals," *R. I. Hist. Coll.*, vol. v., p. 106.

Island against the Dutch; to commission our ancient swashbuckler friend, Captain John Underhill, along with William Dyer and Edward Hull, to make offensive war upon the Dutch by land and sea; and to constitute the general officers, with three jurors of each town, a Court of Admiralty to condemn prizes. To the demand upon Coddington, the word returned was that the magistrate would take legal advice, but that in the interim he dared not "laye down his commission, haveing no order thereto [which was true]; nor having seen anything to shew that his commission is annulled." As for the sweeping resolution concerning participation in the Dutch War,—particularly in the light of Rhode Island's scant resources and of Underhill and Dyer as leaders (Hull was of a different sort),—one is moved to treat it with something like levity. Not so were Providence and Warwick. Indeed the Mainland may be said fairly to have been struck with horror at the audacity of the Island. A session of the General Assembly was called in hot haste at Providence, and, convening June 3, 1653, passed an emphatic protest against the Island's whole course; and to this protest appended the order that such of the inhabitants of the colony as "owned" the commission given to Underhill, Dyer, and Hull should have no liberty "to act in Government" till they had made satisfaction to the towns of Providence and Warwick.<sup>1</sup>

Nor, according to the sequel, were the appre-

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 271.

hensions of the Mainland without foundation. The operations of Underhill, it is true, were confined to taking possession, with twenty men, of Fort Good Hope after it had been abandoned; and those of Dyer never even led him aboard ship; but Edward Hull and Thomas Baxter involved the colony in a warm dispute with the New England Confederation, over the capture by the former of a French ship, and by the latter of a Plymouth vessel carrying the goods of an English planter to his new plantation at Oyster Bay.<sup>1</sup>

Only one more Assembly was held by the towns of the Mainland as constituting Providence Plantations, and this was at Warwick on the 13th of August. And only one more Assembly (May 16, 1654) was held by the towns of the Island at which the representatives from the Mainland were not those sent by the undivided freemen. At the Assembly last mentioned, Nicholas Easton was elected President, and John Cranston, whose name appears for the first time, "Generall Atturtrie." On August 31, 1654, articles of agreement were adopted by the four towns (through their commissioners) "upon ye re-unitinge" of the commonwealth. These articles were: (1) that everything done since the Coddington usurpation be, so to speak, charged to the account of the individual

<sup>1</sup> The United Colonies complained of these acts as done without authority, and, indeed, the orders from the Council of State did limit the Rhode Island privateers "to taking and seizing all such Dutch ships and vessels at sea or as shall come into any of your harbors or within your power" (Palfrey's *New Eng.*, vol. ii., p. 557). Furthermore, no small difficulty seems to have been found in getting from Dyer and Easton the State's share of prize money.

towns concerned; Providence and Warwick taking no responsibility, as towns, for what had been done by their unauthorized representatives at the two Island Assemblies of May 17, 1653, and May 16, 1654; (2) that the Patent of 1644 be recognized as in full force; and (3) that the government established under the patent be also thus recognized.<sup>1</sup> On the same date the first General Assembly of the reunited colony was held, and a Court of Election was ordered for September 12th.

Before adjourning, the Assembly passed an act for the licensing and encouragement of "one or two houses for ye entertainment of strangers," of which there was crying need,<sup>2</sup> and a further act (thoroughly characteristic in its careful regard for the conscientious scruples of both Sabbatarians and Anti-Sabbatarians) that,

"whereas there have been severall complaints . . . against ye incivilitie of persons exercised upon ye first day of ye weeke, which is offensive to divers amongst us, . . . it is referred to each Towne to alow what dayes they shall agree uppon for

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 276.

<sup>2</sup> Travellers in early New England found one of their sorest vexations in the lack of suitable inns. The act in question forbade the dispensing of liquors by any house which would not also entertain guests (*Ibid.*, p. 280). On May 25, 1655, this act was supplemented by another actually naming two persons in each town who should keep inns until the town made a different selection. Each house was required to be provided with a conspicuous sign that it was a place of "publick entertainment" (*Ibid.*, p. 313). At length in May, 1661, it was enacted: "Forasmuch as it appears that ther is great complaynt by reason that ther is no place or places for strangers to be entertayned," it shall be unlawful for any person to "retayle wine or lyckers," unless such person will also provide "at least one bed" and "victuals," under penalty of ten shillings for a first violation of the law, and of twenty for a second violation.—*Ibid.*, p. 441.

their men-servants, maid-servants, and children to recreate themselves, to prevent ye incivilities which are amongst us exercised on that day."

The Narragansett settlements had been brought once more into union, but with regard to the persuasive means employed to overcome the disinclination of the Mainland to enter that union, nothing thus far has been said.

Roger Williams probably reached Providence from Boston and England sometime between June 3, and August 31, 1654. He came, moreover, sick at heart over the Warner affair and other distractions of the Plantations, of which he had been kept duly informed, and bearing the admonitory letter by Sir Henry Vane already alluded to. This letter was dated February 8th, and in its main clauses ran thus :

"How is it that there are such divisions among you? Such headiness, tumults, disorders, and injustice? The noise echoes into the ears of all, as well friends as enemies, by every returne of shippes from those parts. Is not the fear and awe of God amongst you to restraine? . . . Are there no wise men amongst you? No public self-denying spirits . . .? Surely when kind and simple remedies are applied and are ineffectual, it speaks loud and broadly the high and dangerous distempers of such a body, as if the wounds were incurable. But I hope better things from you, though I thus speak, and should be apt to think that by Commissioners agreed upon and appointed in all parts, and on behalfe of all interests, in a generall meeting such a union and common satisfaction might arise as, through God's blessing, might put a stop to your growinge breaches and distractions. . . ."<sup>1</sup>



In order to give all possible effect to Vane's urgent plea for harmony, Williams on arriving submitted the above letter, along with one written by himself, to the town of Providence. In his own letter (remarkable alike for its wisdom and its eloquent severity) he said :

" I am like a man in a great fog. I know not well how to steer. I fear to run upon the rocks at home, havinge had trialls abroad. I fear to run quite backward, as men in a mist doe, and undoe all that I have been a long time undoeing myselfe to do, viz : to keep up the name of a people, a free people not enslaved to the bondage and iron yokes of the great (both soul and bodie) oppressions of the English and barbarians about us, nor to the divisions and disorders within ourselves.

" What have I reaped of the root of being the stepping-stone of so many families and townes about us, but grief and sorrow and bitterness. I have been charged with folly for that freedome and libertie which I have always stood for; I say libertie and equalitie, both in lande and government. . . . It hath been told me that I labored for a licentious and contentious people. . . . This and ten times more I have been censured for, and at this present am called a traitor by one partie against the State of England, for not maintaininge the charter, and the Colonie; and it is said that I am as good as banished by yourselves, and that both sides wished that I might never have landed, that the fire of contention might have had noe stop in burning. Indeed the words have been so sharp betweene myselfe and some latlie, that at last I was forced to say, they might well silence all complayntes if I once began to complayne, who was unfortunately fetched and drawne from my employments, and sent to so vast distance from my familie, to do your work of high and costlie nature, for soe manie dayes and weekes and months together, and there left to starve or steal or beg or borrow. . . . But, gentlemen, blessed be God who faileth not, and

blessed be his name for his wonderful Providences by which alone this towne and colonie, and that grand cause of Truth and Freedome of Conscience hath been upheld to this day.

"Trulie, friendes, I cannot but fear you lost a fair wind latelie, when this towne was sent to for its deputies [by Newport on March 18th?] and you were not pleased to give an overture unto the rest of the inhabitants aboute it.

"If you will now profess not to have disfranchised humanity and love but that as David in another case, you will sacrifice to the common peace and common safety and common credit, that which may be said to cost you something, I pray your loving leave to tell you that if I were in your soul's case I would send unto your opposites such a line as this. 'Neighbors, at the constant request of, and upon the constant mediation which our neighbor Roger Williams since his arrival hath used to us, both for pacification and accommodation of our sad differences, and also upon the late endeavors in all the other towns for an union, we are persuaded to remove our obstruction, viz. that paper of contention between us [the protest of June 3d by the Mainland against the course of the Island], . . . and to obliterate that order [the order denouncing the commission issued to Underhill, Dyer, and Hull] which that paper did occasion.'"<sup>1</sup>

The case of Providence Plantations had indeed been hopeless had it been possible for two such letters as these by Vane and Williams to remain without effect. That they did not so remain is evident from the fact, first, that an understanding between the Mainland and the Island was, soon after the despatch of the letters, actually reached; and from the fact, second, that at the Court of Election held by special appointment on September 12,

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 351.

1654, Roger Williams was chosen President of the rehabilitated colony.

After the election of Williams, one of the first acts of the Assembly of September 12th, was to order that letters of thanks be prepared by the President and Gregory Dexter and sent to "his Highness ye Lord Protector," to Sir Henry Vane, and to Mr. John Clarke.

The letter to Vane bears only the signature of Dexter, but the purity and harmony of the style bespeak the dictation of Williams.<sup>1</sup>

"Your sun," says the writer in allusion to Vane's retirement upon the expulsion of Parliament by Cromwell, "when he retires his brightness from ye world yet from ye very cloud we perceive his presence and enjoy some light and heat and sweete refreshinge. . . . Sir," the writer continues, "we were in compleate order until Mr. Coddington (wanting ye publike selfedenyeing spirit which you commend) . . . procured by most untrue information a monopolie of part of ye Colonie . . . to himselfe. . . . Secondly, Mr. Dyre (with no less want of publike spirit) being by private contentions with Mr. Coddington; and being betrusted to bring from England ye letter of ye Councill of State for our re-unitinge, he hopes for a recruit to himselfe by other mens goods and . . . plungeth . . . in most unnecessary and unrighteous plunderings both of Dutch and French and English."

"Sir, our further answer is (that we may not lay all ye load upon other mens backs) that possibly a sweete cup hath rendered many of us wanton and too active. . . . But blessed be your love, and your loving heart and hand awakening any of our sleepeie spirits by your sweete alarms. . . . We hope you shall noe more complaine of ye saddinge of your loving heart by men of Providence Towne or Providence Colonie; but that

<sup>1</sup> Backus states that the letter, which he evidently had seen, was in the hand of Williams.

Sir when we are gone and rotten our posteritie and children after us shall reade in our Towne records ye pious and favourable letters and loving kindness to us."<sup>1</sup>

Roger Williams was continuously President of Providence Plantations from September 12, 1654, to May 19, 1657. This period, while marked by a fair degree of harmony between the Mainland and the Island, was none the less one of constant jars and bickerings in the several towns.<sup>2</sup> For dealing with these disturbances the new President was by temperament not very well adapted. He was too much of a peacemaker and temporizer, was too confident of the virtues of arbitration, and withal was too much of a talker, to be a thoroughly good executive. Men of the type of William Harris and Benedict Arnold — prompt, decisive, and business-like — were unmistakably Williams's superiors in the art of handling common affairs.

In illustration of the forbearance, not to say hesitancy, of the latter in pushing matters to an issue,

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 287. This letter also contains the following familiar passages: "We have not only been long free (together with all English) from ye iron yokes of wolfish Bishops, etc. We have not felt ye new chains of ye Presbyterian tyrants; nor (in this colonie) have we been consumed with ye over-zealous fire of ye (so-called) Godly and Christian magistrates. Sir we have not known what an excise means. We have almost forgotten what tythes are; yea or taxes either to Church or Commonweale."

<sup>2</sup> On May 25, 1655, the fact is recited that Mr. Thomas Olney had been guilty of "takinge up of armes to ye oposing of authoritie" (*R. I. Col. Rec.*, vol. i., p. 307); on June 30th, it was ordered that, "in case any man strike another person in ye Court," he should be fined ten pounds or be whipped (*Ibid.*, p. 321); also about this time a certain Henry Fowler was pardoned a failure to post a notice of his intention to be married, on his pleading that "the divisions of the town were the cause" of his remissness.

there may be mentioned certain prosecutions instituted by him before the Court of Trials. In 1655 an order was passed that "any person or persons, found upon examination to be a ringleader of factions or divisions amongst us," must be sent to England to be tried by the Lord Protector and the Council of State. Under this order the President, with evident resolve to put a stop to agitations, began an action in March, 1657, against "Robert West, Catharine the wife of Richard Scott, Ann Williams, and Rebecca Throckmorton, as common opposers of all authority"; also a further action against "Thomas Harris, William Wigendon, and Thomas Aingall, for Ringleaders in new divisions in the Colony." And with what result? The record of the court states: "The said persons appearing to traverse and none appeared to make good the charge against them, therefore the Court could not proceed further, and soe doth acquit them."

But while in many things too easy, even by his own confession, the new President in things of diplomacy and negotiation was a master hand. To begin with, in the autumn of 1654 Williams successfully interposed between the Narragansett Indians and Massachusetts in a quarrel growing out of an attack made by Ninigret upon the Indians of Long Island. Again, in 1655 he adroitly urged upon Massachusetts the abandonment of all claim of jurisdiction over the Arnold coterie and Pumham.

The "coterie" was now reduced to four families, one of which (Stephen Arnold's) was ready

to accept the authority of Providence, and another of which (that of Zachariah Rhodes) was, through constructive banishment for "dipping," "out of Massachusetts already." As for the remaining two families—those of William Arnold and William Carpenter—they were by no means Puritan, and had professed themselves willing to arbitrate their case with Providence, provided the Bay would not interpose objection. These facts were now clearly made manifest, and Massachusetts (May, 1658) graciously granted the Arnolds their dismissal. It was a harder task to induce the Bay to take steps with regard to Pumham, and the relations between the latter and Warwick continued to be marked by fruitless conferences and hostile demonstrations down to the year 1666, when the King's commissioners compelled the Indians to remove.

Of miscellaneous incidents, the administration of Roger Williams was not without its share. As a result of trouble with the Narragansetts about the grass on Conanicut Island, Portsmouth and Newport sought, early in 1655, to purchase the island outright, along with Dutch Island, its historic neighbor. But it was not until April 17, 1657, that, through a joint purchase by William Coddington and Benedict Arnold, the Indian title to the former was extinguished; and not until May 22, 1658, that the title to Dutch Island and Coaster's Island Harbor was secured by Benedict Arnold in connection with other persons. It also was in 1655 that acts were passed against notorious and customary cursing and swearing and notorious

sexual immorality,<sup>1</sup> and that the first extant court-roll of the freemen of the colony was made. Ac-

<sup>1</sup> Adultery and fornication were forbidden by the code of 1647, but these offences proved highly troublesome nevertheless. In consequence, on May 25, 1655, it was enacted that "a person convicted of adultery by two punctuall witnesses upon ye Island," should be whipped; receiving fifteen stripes at Portsmouth, and, after a week's respite, "ye like punishment at Newport." Upon the Mainland the punishment was to be fifteen stripes, first at Providence and afterwards at Warwick. A second offence was to be punished "in all ye foure Townes." Furthermore, a first offence was to entail a fine of ten, and a second offence of twenty, pounds, and a second offence was not to be bailable (*R. I. Col. Rec.*, vol. i., p. 311, 312). Meanwhile it seems that representations regarding immorality in the colony had reached the ears of Cromwell. An act was therefore passed (the act alluded to in the text) instructing the magistrates to inflict "some moderate corporall punishment" upon delinquents, or to bind them over. In case, however, of false accusation, the informer was made liable to a like punishment (*Ibid.*, p. 318). On March 17, 1656, an act was passed against incestuous marriages, and on May 19, 1657, the act against adultery was made applicable in cases of fornication (*Ibid.*, pp. 334, 355).

Commenting upon the above legislation, Judge Thomas Durfee remarks (*Rider's Hist. Tract No. 18*, p. 140): "In New England Rhode Island was the favorite and indeed the only refuge from the moral as well as the religious rigor of puritanism; and hence it is not surprising that many who immigrated here . . . fell into excesses." It, however, is to be doubted whether Rhode Island was any more given to "excesses" of the sort indicated than were Massachusetts, Plymouth, or Connecticut. The same uncleanness characterized them all. Thus Roger Williams, in a letter to John Winthrop, Jr., dated February 16, 1649-50, grieves with the latter over the fact that Connecticut is "so troubled with that filthy devil of [immoral] practices" (*Narr. Club Pub.*, vol. vi., p. 191); and Governor Bradford in his History of staid old Plymouth is moved to exclaim (pp. 384-386): "Marvilous it may be to see and consider how some kind of wickedness did grow & break forth here . . . as in no place more or so much that I have knowne or heard of . . . espetially drunkennes and unclainnes. . . . One reason may be that ye Divell may carrie a greater spite against the churches of Christ and ye gospell hear, by how much ye more they indeavour to preserve holynes and puritie . . . I would rather thinke thus than that Satane hath more power in these heathen lands, as som have thought, than in more Christian nations, espetially over God's servants in them."

The philosophy of the whole subject of sexual immorality in Puritan New England is brought out in Mr. C. F. Adams's paper in *Mass. Hist. Soc. Proc.*, 1891, vol. vi., pp. 477-516.

according to the roll mentioned, the total number of freemen was 247; of whom Providence had 42, Warwick 38, Portsmouth 71, and Newport 96.<sup>1</sup>

But Roger Williams, chief among those concerned in meeting the *coup d'état* of Coddington in its early and sinister stages, was now, as President of the restored commonwealth, to see the fruition of his work.

On March 29, 1655, Oliver Cromwell, pausing amid his multifarious tasks, addressed to Providence Plantations a letter informing the colony that they were to proceed in their government "according to ye tenor of their charter formerly granted,"

. . . "taking care of ye peace and safetie of these plantations."<sup>2</sup> It is probable that this letter convinced Coddington that, despite the efforts of Winslow, of Hopkins, of Haslerig, and of Fenwick, nothing for the restoration of his fallen fortunes would or could be done. These men, his supporters, were dependent upon Parliament, and by this time Parliament was completely merged in the Lord Protector. Accordingly, on March 11, 1656, the Newport magnate, altogether shorn of his purple, appeared at the Court of Trials as a plain commissioner and bearing in his hand this unequivocal farewell to greatness: "I, William Coddington, doe freely submit to ye authoritie of his Highness in this Colonie, as it is now united, and that with all my heart."

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 299.

<sup>2</sup> *Ibid.*, p. 316.



But he was not too hastily to be received. The charge (most serious, in the mind of the mother country, of all the charges preferred against him) that he had consorted with the Dutch still hung over his head, and for the clearing of this it was deemed advisable to take time. The Court of Trials adjourned, and on March 17th the General Assembly convened. By this body an order was made that a letter be written to John Clarke, relating the submission of Coddington; and their own willingness to ignore the past, but asking from the home government a dismissal of the charges pending. At the same session Coddington was required to explain a suspicious resemblance between certain "gunnes in ye Indians hands" and some which he had brought with him from England. Upon the whole, however, the feeling toward him was not unkind; for it was ordered that some things in the records "prejudiciall to himself, or others," be "cut out" and delivered to him, and that divers presentments standing against him "upon a booke of records belonging to ye Island" be not prosecuted except by order from "his Highness ye Lord Protector."

One other noteworthy event occurred during the administration of Roger Williams — the prosecution of William Harris for treason; but the noteworthiness of this event is so peculiar that the event itself, together with its attendant circumstances, will be reserved for consideration in Chapter XI.

## CHAPTER X

### RELATION OF STATE TO TOWN IN EARLY RHODE ISLAND

**I**T was remarked in Chapter VIII. that, under the constitution of 1647, the component parts of Providence Plantations were but loosely compacted together. The truth of this statement has been illustrated by the course of events during the Coddington usurpation. For the purposes of the present chapter, however, it will be necessary to consider the constitutional aspect of the Narragansett settlements by itself and from the beginning.

Providence, Portsmouth, Newport, and Warwick (reduced, after the coalescence of Portsmouth and Newport in 1640, to Providence, Aquidneck, and Warwick) were at the outset each a distinct, self-governing community. They were dependent upon no other colony, and their dependence upon the British Crown, prior to the granting of the Patent of 1644, was less even than nominal.<sup>1</sup> They not

<sup>1</sup> Massachusetts was the direct creation of the Crown, and Connecticut was planted by Massachusetts (*Mass. Col. Rec.*, vol. i., p. 171). Upon the question of Rhode Island's dependence upon the Crown, it is the opinion of Judge Mellen Chamberlain that the sovereignty of Great Britain is to be considered as beginning with the actual assertion of jurisdiction in and through the Patent of 1644.—Foster-Chamberlain Correspondence, MS.

only made rules for internal government, but they made treaties with foreign powers (the Indian tribes), involving war and peace and the acquisition of territory.<sup>1</sup> In a word, so far as conduct and fact are concerned (and it is these which in politics are all important, for they predetermine right and law), the early settlements about Narragansett Bay were sovereign very much as in B.C. 753 were the settlements of Romulus and Titus Tatius on the summits respectively of the Palatine and Quirinal.

But with the granting of the Patent of 1644, and the union thereunder of the settlements or plantations in question, there came a change. Providence, Aquidneck, and Warwick now in a measure ceased to be sovereignties or States, and became subordinate political units or towns.<sup>2</sup> Had they wholly ceased to be States, they would henceforth have yielded habitual obedience to the central government, but this they did not do. Their obedience

<sup>1</sup> Mr. W. E. Foster enumerates: an oath of allegiance (*R. I. Col. Rec.*, vol. i., p. 14), an act of disfranchisement (*Ibid.*, p. 16), and an act respecting Freedom of Conscience (*Ibid.*, p. 28), as indicating the exercise of State powers by Providence. Moreover, Judge Chamberlain says: "According to my way of thinking, all of the acts [above enumerated] are those of States, and so I call the [early Rhode Island plantations] States. Nor does it change their nature that these States, after their people coalesced and formed a single government under a charter, no longer existed as separate States."—Foster-Chamberlain Cor., MS.

<sup>2</sup> Judge Chamberlain says: "An organized municipality can never become a State, though its people may do so"; in other words, an aggregation of towns is no more a State than an aggregation of corn kernels is an ear of corn. In order, therefore, for towns to merge into a State, there must be introduced some principle that subordinates the towns as such, and gives them unity, just as the cob gives unity to the corn kernels.—Foster-Chamberlain Cor., MS.; see also Chamberlain's *John Adams, with Other Essays*, p. 198, note.

was temporary and spasmodic,—the proverbial steadiness by jerks of the Hibernian,—and this circumstance has made it well-nigh impossible accurately to classify the political entity due to their combination. It is perhaps best described as an articulated State, corresponding in the political world to those fabled reptilian organisms in the world of the animal, which hold together while all is serene, but which at a pinch find little embarrassment in confronting life's problem in segments.

The periods of segmentary and complete existence on the part of what is now the state of Rhode Island may, in accordance with an instructive suggestion by Mr. William E. Foster, be tabulated as follows :

- (1). 1636-1641, Providence, Portsmouth, and Newport, distinct sovereignties.
- (2). 1641-1647, Providence, Aquidneck, and Warwick distinct sovereignties.
- (3). 1647-1651, the colony of Providence Plantations a distinct commonwealth.
- (4). 1651-1654, Providence-Warwick (the Mainland) and Portsmouth-Newport (the Island) distinct commonwealths.
- (5). 1654-1686, the colony of Providence Plantations a distinct commonwealth.

If now we seek the underlying cause of the sudden transformations thus represented, it will be found in the prevalence of a deep-seated distrust of power. Providence disliked authority *per se*, and from any source ; Newport sanctioned only such authority as emanated from itself ; Portsmouth was

a great deal like Providence ; and Warwick, while made up of an element by no means deferential, still in theory approximated to Newport : the consequence being that, throughout much of the seventeenth century, no one of the Narragansett settlements confided fully in another.

The distrust of power spoken of was shown in a variety of ways. It was shown as to local affairs by the early enactments at Providence and on Aquidneck (noticed at Chapter IV.) in favor of Soul-Liberty and Individualism ; and, as to the affairs of the commonwealth, by the Landsgemeinde provisions of 1647 (noticed at Chapter VIII.) confirming *Magna Charta*, subordinating the executive to the legislature, and permitting judicial appeals to the General Assembly ; also by the further provisions reserving certain powers to the towns : as of determining the qualifications of voters ; of initiating all legislation, either in town or General Court meeting ; of apportioning and collecting general as well as local taxes ; and of participating, through the town magistrates, in the dispensation of justice by the colony Court of Trials. These evidences of distrust, moreover, take on for us an augmented interest in the light of evidences of a similiar distrust in that miniature Swiss Democracy of Appenzell mentioned in a note to the text at Chapter V.

It will be remembered that, in and before the year 1513, the Appenzell canton was made up of distinct towns (formerly Allemanic tribes) called

Rhoden. The freemen of these towns were the owners in common of certain arable, wood, and meadow lands, and met each year as a Landsgemeinde to choose cantonal officers and to transact the public business. When so met, and the officers had been chosen, an engagement or oath of mutual fidelity and support (just as in Providence Plantations in and after 1647) was taken by officers and people. The Rhoden, however, like the early Rhode Island towns, were highly independent organizations which, with infinite difficulty, had managed to unite. They therefore were distrustful of everything which took origin outside the Rhoden as such, and preferred often to initiate legislation upon the plan followed in early Rhode Island, that is, through a committee of representatives composed (in their case) of twenty-four from each Rhod. A measure, when thus initiated, remained experimentally in force until the next session of the Landsgemeinde, although in some instances the experimental period was fixed by the committee at two, three, or even five, years. Again, no person was admitted to cantonal citizenship excepting as (after the manner of early Providence and Aquidneck) he had been received as a purchaser of a right in the common holdings. And finally each Rhod had its own member of the Cantonal Court, and its own special occasion for administering the cantonal finances.

Indeed, so pronounced in Appenzell was that element of individualism and that dread of centralization with which we are confronted in early Rhode

Island, that an Appenzell writer is moved to say : "The notion of Statehood was very slowly developed in the young Democracy ; and it was with timidity and embarrassment that the State confronted the Rhoden and even private persons."<sup>1</sup>

In the case of early Rhode Island (Providence Plantations), lapse of time wrought modifications in the system inaugurated in 1647, and these modifications in the main were toward that consolidation which was inevitable if the commonwealth were to endure. For example, the inconvenience of attendance at the Landsgemeinde brought about, in 1650, the transfer of all Landsgemeinde powers, except the power of election, to the standing committee for the towns — the General Court. Then, in 1652 and 1654, steps were taken tantamount to a requirement that, in order for those lately admitted as freemen by the towns to exercise the privileges of colony freemen, they must be formally received into fellowship by the colony ; Benedict Arnold (not to mention others) was thus received in 1653.<sup>2</sup> Moreover, in 1655, the General Assembly tightened the reins over the towns by passing an act that henceforth the Assembly itself should

<sup>1</sup> I. B. Richman's *Appenzell*, p. 130.

<sup>2</sup> "It is ordered that no forinners Dutch, French or any other nation shall be received as a free inhabitant in any of the townes of our Collonie . . . but by the generall consent of our Collonie orderly mett and manadged."—*R. I. Col. Rec.*, vol. i., pp. 245, 246.

"It is ordered that all those inhabitants in this Collonie that have been received freemen to act in any Towne or Collonie since Mr. Coddington's commission was exhibited, shall be owned freemen of ye Collonie."—*Ibid.*, p. 280.

commission those in each town who were to "make ye rates," and "give forth warrants for ye gathering of them." This act was followed, in 1656, by an order—aimed at certain assumptions on the part of the towns—that "noe law or order apoynted and ordayned by ye generall and publicke authoritie of this Colonie shall be any wayes obstructed or neglected under pretence of any authoritie of any of ye towne Charters."<sup>1</sup>

But along two or three lines the towns more than maintained what of separatism was at first recognized, for, whereas in 1650 they were allowed only ten days within which to disapprove an act of the General Court, in 1658 (November 5th) they were allowed twenty, and in 1660 (May 22d) "four-score and six daies," or three months. Furthermore, in 1660, the act of 1658, which provided that a law of the General Assembly could only be annulled by the vote of a majority in each town, was so far remodelled that thereafter, as originally, a law might be annulled by the vote—transmitted through the towns—of a majority of the freemen of the colony.<sup>2</sup> In affairs of probate (as has been seen at Chapter VIII.), the towns held to and enlarged their authority; while, with respect to the colony Court of Trials, so great was their jealousy that it led to the enactment, in 1651, that the original jurisdiction of the court should be limited to causes involving murder, homicide, "dismemberinge," rape, and bestiality. With regard to divorce, it is to be

<sup>1</sup> *R. I. Col. Rec.*, vol. i., pp. 306, 333.

<sup>2</sup> *Ibid.*, pp. 401, 429.



remarked that, despite the law of 1647, conferring exclusive jurisdiction on the General Assembly, the towns assumed to deal with the subject. This compelled the passage of an act in May, 1655, that, while for the offence of adultery, "a generall or towne magistrate" might "grant a bill of divorce," for all other causes, bills should be granted only by the General Court.<sup>1</sup>

Town O T Another thing there was that no doubt tended to confirm the towns of Providence Plantations in their pronounced separatism, and that was their organization as land corporations. We have already seen that for a resident to be a freeman in the early period, he must also be a landowner. In Providence, down to 1646, the franchise was limited to the possessors of full purchase rights (one hundred acres), and it was not until 1658 that it was openly bestowed upon all who owned land. In Portsmouth and Newport, landownership as a prerequisite to the franchise was not so much insisted upon, but even there such ownership brought with it a high order of special privileges.<sup>2</sup> When, therefore, we speak of the towns as resolving upon a particular course of action in town meeting, or as

<sup>1</sup> *R. I. Col. Rec.*, vol. i., pp. 237, 312.

<sup>2</sup> Notwithstanding the declaration of the General Assembly on May 10, 1684, that the undivided or common lands of Portsmouth and Newport should be "deemed and taken to be the property of every freeman of the said towne," the town of Newport, or rather the proprietary class in said town, met on January 12, 1702, and asserted their claim to these lands. In fact, on February 11, 1702, it was ordered that a division of the commons (those remaining since the allotments of the period 1639-44 to the original proprietors) should be made; and in this division such only were permitted to share as were the heirs or assigns of the allottees of 1641.—*Newport Land Ev.*, vol. i., pp. 376, 396.

sending representatives to the General Assembly, what should be borne in mind is, that the bodies so doing, called towns, were little *nuclei*, little corporations, holding their sessions in kitchens and taverns; narrow, self-centred, and dictatorial / each, through the circumstances of its origin, a protest against external authority; and each, by forcing the General Assembly (no less than the General Court of Trials) to attend upon its convenience, so impregnating the future with particularism that to-day the Rhode Island Legislature meets every year at Newport to choose a vetoless Governor before convening at Providence for legislative business.<sup>1</sup>

However, even in the case of the towns as land companies, the principle of modification was early at work, for, on the outside of each of these *nuclei*, there was an ever-increasing parasitical aggregation, in the form of non-proprietary inhabitants (*beisassen*, or denizens, they are called in Appenzell, where of late they have broken down and absorbed the Rhoden as political units), and this aggregation of course found the line of its interests largely apart from, and in opposition to, that of the interests of the nucleus, or corporation, to which it was attached.

But the most salient point in the relation of State to town in early Rhode Island remains to be considered. This point is that our tiny commonwealth, in the relation mentioned, prefigured more completely than any of its associates what (in gen-

<sup>1</sup> Written before the transfer of the seat of government wholly to Providence.

eral acceptance) was the course of the American Union down to the Civil War. That is to say : it began as a group of separate sovereignties, each highly centrifugal in tendency ; these, under grinding necessity, were at length led reluctantly to unite ; the union was precarious, and resulted in the resumption by certain of the sovereignties of their original independence ; this resumption in turn was abandoned for closer union ; the union thus formed was held by a large element to be dissoluble in the same way as, afterwards, the American Union was held to be dissoluble in the Virginia and Kentucky Resolutions, or by the eleven States that formed the Southern Confederacy.<sup>1</sup>

It is true that for a full realization of the force of the above parallel there should be taken into account the act of the Rhode Island General Assembly in 1686, under Governor Andros, in voting that it should be "lawful for the freemen of each town to meet together" and make all necessary provision "for managing the affairs of their respective towns" ; also the act of the town of Scituate, in 1777, declaring that upon the promulgation of the Declaration of Independence all authority reverted to the people as originally organized. But none the less the parallel is one sufficiently striking

<sup>1</sup> To those disposed to view with favor the opinion of Mr. John C. Hurd and Mr. John C. Ropes (*Theory of our National Existence*, 1881, and *The Union State*, 1890, both by Mr. Hurd), that the colonies at no time were separate sovereignties, the question of the status of the Rhode Island plantations, prior to 1644-47, is one of exceeding interest. See paper in *Harvard Law Review* for January, 1901, entitled: "From John Austin to John C. Hurd."

in the period between the date of origin of Providence, Portsmouth, Newport, and Warwick, and that of the coalescence of these communities under Roger Williams after the *coup d'état* of Coddington.

Nor should it be overlooked that interesting national institutions are dimly prefigured in the early Rhode Island Presidential office; also in the Supreme Court of Trials with its jurisdiction in controversies between different towns, or the citizens of such towns, or between citizens of a Rhode Island town and citizens of a foreign colony or State.

Indeed, it is because of these varied prefigurings that Mr. George Bancroft is led to say that "more ideas which have become national have emanated from the little colony of Rhode Island than from any other"; and it is equally because of them that it has been deemed fitting here to devote a special chapter to that early particularism and separatism,—the outgrowth of individualism,<sup>1</sup>—of which these ideas were the manifestation.

<sup>1</sup> *Apropos* of democracy as the outcome of individualism, it is worthy of remark that while individualism may be said to import democracy, the inference is by no means warranted that democracy imports individualism. The colony of Connecticut, for example, was markedly democratic, but it was also markedly void of individualism. And if we turn to the most noted of the democracies of antiquity—Athens—we find even less of individualism than in Connecticut. Indeed, between the city-State of the Greeks and the town-State of early Rhode Island there is a difference consisting largely in the fact, that whereas in the former the individual lived for the State, in the latter the State lived for the individual. This it is that makes any comparison of early Rhode Island with the democracies of antiquity less suggestive than comparisons with the older Swiss cantons where individualism was a feature not only distinguishing but aggressive.



**The Idea of Individualism in Politics, as Cor-  
ollary to that of Freedom of Conscience  
in Religion, Grasped by Rhode  
Island, but not by Roger  
Williams**



## CHAPTER XI

### SOUL LIBERTY IN PRACTICE — THE BAPTISTS AND THE QUAKERS

**B**EFORE resuming the thread of narrative from the end of the term of Roger Williams as President of Providence Plantations, it will be necessary to go back a little and give some further account of the seventeenth-century religious sects in New England.

These sects — the Anabaptists, the Antinomians, the Baptists, and the Quakers — while differing in externals, were inwardly of close relationship. The principle for which, more than for any other, they all stood was that of opposition to legalism and formalism. They represented the claims of the spirit against the letter, of reason against tradition, of the present against the past. This fact, however, did not prevent their falling at times into extravagances. By just so much as the established order was conventional with age, by that much were the sects inclined to be unconventional from youth. We have seen, in Chapter I., how the Anabaptists of Münster, captivated by the doctrine that those inspired of God were incapable of



sin, went wild with debauchery in 1535. Yet the doctrine itself was little more than a rigidly logical deduction from the position early assumed by Luther, that the human will is purely passive in the hands of God,<sup>1</sup> and which, under the elaborating touch of John Agricola, gave rise in 1527 to the sect named by Luther himself Antinomian.

In one respect the Anabaptists in general differed markedly from the Antinomians, for, while the latter confined their dissent to matters distinctively religious, the former went so far as to refuse the taking of oaths, the acceptance of magisterial place, and the bearing of arms; and, at least in the early period, advocated a community of goods.<sup>2</sup> These characteristic points (except the last) were cherished by Menno Simons upon assuming the leadership of the Anabaptists in 1537, and when the English Independent congregation of John Smyth emigrated to Amsterdam, as they did in 1606, they became in part tinctured with Mennonite ideas. Hence it is that we find certain of that branch of the English Anabaptists called Generalists, deprecating service in the army of Cromwell. Still the majority of English Baptists—notably the Particular Baptists—were purely of home, and hence of Calvinistic extraction, and so were not affected by Mennonite scruples respecting oaths, magistracy, and warfare. It accordingly was reserved for the Quakers, in the years 1652–54, to plant in English soil Mennonite ideas in their full perfection.

<sup>1</sup> Hallam's *Literature of Europe*, vol. ii., p. 412.

<sup>2</sup> Newman's *Hist. of the Baptists in the U. S.*, p. 36.

"George Fox," as Robert Barclay discriminatingly says in his *Inner Life of the Religious Sects of the Commonwealth*, "was the unconscious exponent of the doctrine, practice, and discipline of the ancient and strict party of the Dutch Mennonites at a period when, under the pressure of the times, some deviation took place among the General Baptists from their original principles."

And what is more, it was the disciples of Fox that in various instances were led to revive the pre-Mennonite Anabaptist practice of regrettable extravagances, in their zeal to bear witness to the "inner light," or promptings of the spirit against formalism.<sup>1</sup>

To Puritan Massachusetts, of course, any and all sects ascribing superior authority to the inner light were an abomination of abominations, and this with reason. No Theocracy, no State built and reposing upon the will of God, as revealed in Scripture, could for a moment tolerate the pretension that God revealed himself not merely in his Word, but secretly in hearts of men. To do so would mean for the Theocracy death, and for its priests — the clergy — abdication and dispersion. Consequently when the Anabaptists, the Antinomians, and the Quakers appeared, with their exaltation of the spirit above the letter, of the new dispensation above the old, of Christ above Moses and Joshua, they were met as aforetime Paul and Aristarchus were met in Ephesus. That is to say, they were de-

<sup>1</sup> A purely amusing instance of Mennonite non-conformity is to be found in the refusal by certain of the sect, at an early date, to wear buttons. Hooks-and-eyes were used instead as involving less of a concession to pride and worldliness. — Vedder's *Hist. of the Baptists*, p. 126.

nounced by those whose calling was menaced by their doctrine. Nor were they denounced only. As early as November 13, 1644, a law was passed that,

"if any person or persons within this jurisdiction shall either openly condemn or oppose ye baptising of infants, or go about secretly to seduce others from ye approbation or use thereof, etc., or shall deny ye ordinance of magistracy, or their lawful right or authority to make war, or to punish ye outward breaches of ye first table, and shall appear to ye Court Wilfully and obstinately to continue therein etc., any such person or persons shall be sentenced to banishment."<sup>1</sup>

There had been some punishments, though perhaps no formal banishments, under the above act, when, in 1651, three citizens of Providence Plantations residing at Newport were brought within its purview. The citizens in question were our old acquaintance, John Clarke, and Obadiah Holmes and John Crandall. About 1644, a Baptist church had been organized at Newport as successor to the irregular Congregational church of the first years, and of this church (which included the more democratic Newport element, and hence did not include Coddington) Clarke was pastor. Holmes and Crandall were staunch coadjutors of Clarke: the former (probably an Oxford graduate) had seceded from the Congregational church at Seekonk in 1649, and the latter was the son-in-law of Samuel Gorton.

The story of the punishment, by Massachusetts, of Clarke, Holmes, and Crandall for Anabaptism is quaintly told by John Clarke himself in his *III*

<sup>1</sup> *Mass. Col. Rec.*, vol. ii., p. 85.

*Newes from New England*, printed in London in 1652.<sup>1</sup>

It seems that in 1651 there was living at Swampscott, near Lynn, a man elderly and blind, William Witter, who in 1646 had been admonished by the General Court for strong, and by no means chaste, language against infant baptism. Hearing of the case, the Newport Baptist church deputed its pastor, together with Holmes and Crandall, to visit the brother, and offer him the consolations of religion from a Baptist standpoint. Accordingly, on July 19th, the committee of three reported themselves at Witter's house, and the next day (Sunday) set about the accomplishment of their errand in a discourse, privately preached by Clarke in the presence of their host, upon the subject of patience under temptation. While Clarke was speaking, who should break in upon the gathering but two constables armed with a warrant, signed by Robert Bridges, magistrate, for the apprehension at Witter's house of "certain erroneous persons being strangers"; and for the bringing of them before the said magistrate the following morning at eight o'clock. The warrant was not resisted, and the three Rhode Islanders soon found themselves in custody at the "Ale-House,"

<sup>1</sup> *Mass. Hist. Coll.*, 4th ser., vol. ii., p. 1 *et seq.* Dr. H. M. Dexter, following Dr. J. G. Palfrey, represents Clarke's visit to Massachusetts as designed to provoke punishment and so strengthen the Clarke faction against the Coddington faction upon Rhode Island. The far-fetched character of this inference is exposed by Dr. H. M. King in his *Summer Visit of Three Rhode Islanders* (1896), and by J. A. Doyle in his *Eng. Colonies in America*, vol. ii., p. 311.

whence, after dinner, they were told that they must accompany one of the constables to "the Meeting." They replied that if forced to attend the meeting, they would declare their dissent from the Puritan order "both by word and gesture." The constable then said that it was nothing to him what they might do, and to the meeting they went.

On entering the sanctuary, Clarke — much after the manner of a present-day member of the British Commons on entering the House — removed his hat, gravely saluted the congregation, who were at prayer, and took the seat which was pointed out to him. He then calmly resumed his hat, drew forth a book, and fell to reading. "Hereupon," says the narrative, "Mr. Bridges being troubled, commanded the constable to pluck off our hats." This was no sooner said than done, and Clarke made no further demonstration till after the sermon. He then arose and, with civility but perfect directness, told the church that he could not judge that they were gathered together, or that they walked, according to the visible order of our Lord. This elicited from Bridges a command to be silent, and at the end of the service the party were escorted back to the Ale-House, where they were guarded through the night "as Theves and Robbers." The day following they were sent to Boston to await in prison the action of the next court.

The court met toward the last of the month, ruthless John Endicott presiding. The prisoners were summoned, inquisitorially examined, and — after the court had been specially exhorted to sever-

ity by John Cotton — were sentenced to pay a fine ; or, in case of default in payment, to be severally “well whipped.” When the delivery of sentence was over, Clarke, with seeming great innocence, thus addressed the magistrates :

“I said unto [Mr. Bridges], we are strangers and strangers to your laws, and may be transgressors of them before we are aware, we would therefore desire this courtesy of you as strangers, that you would show us the law by which we are transgressors. But then no answer could we have from him than this, when you come to the Court you shall know the law; now we have been before the Court in the forenoon upon examination, this afternoon we have heard our sentence read, yet have we not heard the law produced by which we are condemned; we therefore now desire to see the law . . . and the rather because we find in the beginning of your laws this provision . . . that no man shall be molested but by a law made by the General Court and lawfully published, or in defect of a law in a particular case by the word of God.”

This request to see the law, so reasonable in itself, and about which Clarke so blandly assumed that no difficulty would or could be made, was in reality a telling blow at the court. There was no law among the Massachusetts statutes for punishing Anabaptists otherwise than by banishment; consequently the fines imposed, and stripes threatened, were both extra-legal and malicious. Endicott, perceiving the predicament into which he and his associates had been led by Clarke, at once grew violent (“somewhat transported,” the narrative has it), and, telling the Newport pastor that such as he were “trash” and “deserved death,” defied him to

maintain his heretical Baptist doctrines before "our ministers." In putting forth this challenge the fiery Governor again gave the advantage to Clarke, who at once, upon being remanded to prison, penned a courteous line to the "Honored General Court," reciting Endicott's words, and begging to accept the opportunity offered him to meet some champion of the Theocracy in public debate. A pretence of keeping the challenge good was made by the court, for Clarke was called before the magistrates and asked whether, in the event of a discussion, he would maintain his practice as well as his belief; said they, "The Court sentenced you not for your judgment or conscience, but for matter of fact and practice." But upon receiving the answer that, inasmuch as fact and practice were but the manifestation of judgment and conscience, they certainly would be maintained, pretence was abandoned; the magistrates finally informing Clarke that he had misconceived the Governor, who had simply said that if he (Clarke) would confer privately with any of the elders, they would be able to confute him.

With regard now to the punishments. Clarke's fine (without his knowledge and contrary to his wish) was paid for him by "tender-hearted friends"; Crandall was released on bail,<sup>1</sup> and Holmes was scourged with thirty lashes. The scourging took place in this wise.

Upon leaving the bar after sentence, Holmes fervently remarked: "I bless God that I am counted

<sup>1</sup> Owing to a misunderstanding as to the time at which Crandall was to present himself, his bail was forfeited and he set free.

worthy to suffer for the name of Jesus." This utterance was heard by John Wilson, the pastor of the Boston Church, who stood by, and so angered him that he struck the offender and cursed him, exclaiming: "The curse of God go with thee!" Still, in Holmes's case, as in that of Clarke, there were those who would have discharged the fine and liberated the prisoner, had not the latter, when consulted, forbidden the act. The night preceding the day appointed for the scourging was passed by Holmes in sound and refreshing sleep. Indeed, so strong of spirit was he on the next morning, that he declined a proffer of wine made to him by friends, lest—in the event of his sustaining well the impending ordeal—it be charged that the "comfort and strength of the creature had carried him through." The place of execution was public, and the offender marched thither with firm step, Testament in hand. Some time was consumed in awaiting the attendance of Endicott, but he did not appear; and the only magistrate present, Increase Nowell, having instructed the executioner to do his office, the scene opened.

The first step was to strip Holmes of his clothing to the waist—an operation in which the latter refused assistance, saying that he "made as much conscience of unbuttoning one button as of paying his entire fine." The second step was to bind him (half-naked) by his wrists to the whipping-post; and the third, to ply the lash. In this instance the lash consisted of three cords, and was plied thirty times, the executioner spitting on his



hands thrice to give unction to his strokes. The ordeal finished, Holmes turned to Nowell, "joyful in heart" and "cheerful in countenance," and with exquisite irony observed: "You have struck me as with roses." So resolute, indeed, had been the bearing of the sufferer that the sympathy of the spectators was aroused, and several came forward to congratulate him. Two of these, John Hazel and John Spur, were afterwards arrested for contempt of authority, and sentenced to pay a fine of forty shillings or be whipped themselves. Nor was Holmes's own punishment a matter for pleasantry. His back was so lacerated that, despite the application of healing ointments, he could not lie down for many days, but was forced to obtain repose as best he might propped upon his hands and knees.<sup>1</sup> Meanwhile the fame of his conduct had spread, and when he took his way homeward from Boston he was met in the woods by a company of the brethren from Newport and Providence, who hailed him with repeated and triumphant shouts.

By the coolness of Clarke's words,<sup>2</sup> and the daring of Holmes's suffering, the people of old Aquidneck had made it sufficiently plain that they understood what Soul Liberty in practice meant. The immediate incident, however, was not yet fully

<sup>1</sup> Written statement by Gov. Jos. Jencks, in 1727.—Backus, vol. i., p. 237.

<sup>2</sup> The following is Roger Williams's comment on the Clarke episode: "I met Mr. John Clarke at Providence, *recens e carcere*. There was great hammering about the disputation, but they could not hit, and although (my much lamented friend) the Governor told him that he was worthy to be hanged, yet he was as good as thrust out without pay or whipping."—*Narr. Club Pub.*, vol. vi., p. 213.

closed. The last word was reserved to be spoken by Roger Williams in a communication to John Endicott. In the early days Endicott had been an ardent disciple of Williams in Salem. The story goes that it was while under inspiration from the latter that he performed the famous act of cutting the cross from the English ensign. Be that as it may, the impetuous man had long since repented his early discipleship, and was now of the strictest Puritan sect. Accordingly, when (soon after the return of the Rhode Island three from the ordeal at Boston) Williams received a letter from Endicott sealed with a death's head and bones, which most appropriately were the Governor's chosen emblem, he prepared a reply which takes rank as one of his most trenchant efforts.

"The Maker and Searcher of our hearts," declares Williams, "knows with what bitterness I write, as with bitterness of Soul I have heard such language to proceed from yourself . . . [to dissenters] as, 'you are Conventiclers, Heretics, Blasphemers, Seducers; you deserve to be hanged; rather than one shall be wanting to hang him I will hang him myself; I am resolved not to leave a heretic in the country,' " etc. "Oh Sir, you cannot forget what language and dialect this is, whether not the same unsavored and ungodly, blasphemous and bloody which the Gardiners and Bonners, both former and latter, used to all that bowed not to the State golden Image, of what conscience soever they were.

"Your Talents are great, your fall hath been so. Your eminence is great, the Glory of the Most High in mercy or justice toward you will be great also." "It is a dismal battle for poor naked feet to kick against the pricks. It is a dreadful voice from the King of Kings and Lord of Lords: 'Endicott, Endicott, why hunttest thou me? why imprisonest thou me? why sinnest, why so bloodily whippest, why wouldest

thou (did not I hold thy bloody hands) hang and burn me?' Yea, Sir, I beseech you remember that it is a dangerous thing to put this to the may-be, to the venture or hazard, to the possibility. Is it possible (may you well say) that since I hunt, I hunt not the life of my Saviour, and the blood of the Lamb of God. I have fought against many several sorts of Consciences, is it beyond all possibility and hazard, that I have not fought against God, that I have not persecuted Jesus in some of them?"<sup>1</sup>

Powerful utterances were these, and well might they have rung in the ears of Endicott as did the voice from heaven in the ears of Saul of Tarsus, as he journeyed from Jerusalem to Damascus, but the Massachusetts persecutor was more infatuated than the Jew and gave no heed.

In a word, then, Destiny, in the case of the Island, had put the principle of Soul Liberty to one sort of test. It was now, in the case of Providence, to put the same principle to a test of a different sort. That is to say, the Island having shown that the principle in question could endure the test of opposition, it remained for Providence to show whether it could endure the subtler and more searching test of being sapped and mined.

The population of Providence had from the first been largely made up of an element given over to the idea that Soul Liberty meant practically the absence of restraint, civil as well as religious. In 1636 Williams had borne testimony to the disfavor with which those of his plantation looked upon the

<sup>1</sup> *Narr. Club Pub.*, vol. vi., pp. 224, 225.

face of magistracy, and in the winter of 1654-55 this disfavor was manifested by a riot, and by the circulation of a paper affirming the doctrine that "it is blood-guiltiness and against the rule of the gospel to execute judgment upon transgressors against the public or private weal." In view of the above, the New England apostle of Soul Liberty now felt it incumbent upon himself to put forth a definition of his principle such that henceforward the latter could not be made use of to cover scandalous designs.

This definition (submitted to the town of Providence by letter) is framed as a parable, in which the commonwealth is likened to a ship filled with a crew and passengers of various religions—as, for example, with Papists, Protestants, Jews, and Turks. The crew and passengers may not rightfully be compelled by the captain to attend the ship's prayers, or to refrain from the practice of their own particular devotions, but they all, none the less, are subject to the orders of the captain in whatever touches their common peace and safety. In stating the parable, however, Williams used this language :

"If any of the seamen refuse to perform their services or passengers to pay their freight ; if any refuse to help in person or purse towards the common charge or defence; if any refuse to obey the common laws and orders of the ship . . . ; if any shall mutiny and rise up against their commander and officers; if any should preach or write that there ought to be no commander and officers because all are equal in Christ, therefore no masters nor officers, no laws nor orders, nor corrections nor punishments; . . . I never denied, but in such cases,

whatever is pretended, the commander or commanders may judge, resist, compel, and punish such transgressors, according to their deserts and merits."<sup>1</sup>

Now the declaration that not merely those disobedient to law may properly be punished, but as well those who preach or write that there ought to be no civil institutions, reveals a point at which the Soul Liberty of Roger Williams lacked something of the full measure of the Soul Liberty of the present age. A person to-day (either in England or America) may write and preach against any and all government,—may, so far as opinion and advocacy go, be a complete Anarchist,—but, so long as he takes no other step toward the realization of his ideas than to endeavor to convince people that they are meritorious, and should—if the expression may be allowed—be lawfully adopted, he is given rein. It does not follow from this that the views of Williams (*quid* views) had undergone modification since his Salem period, for, although when in Salem he had found it within a just definition of Soul Liberty to denounce certain portions of the Massachusetts charter, and to inveigh against certain orders of the Massachusetts Government, he even then had taken pains to make manifest his thorough respect for civil institutions *per se*, by limiting the province of conscience to acts such as did not imperil the civil peace.

Still, between the Williams of the Salem period and the Williams of 1655, there was the inevitable difference subsisting between a free lance and a

<sup>1</sup> *Narr. Club Pub.*, vol. vi., p. 278.

responsible officer of State<sup>1</sup>; and it may well have been the responsibility of the officer which led to the putting forth of that definition of Soul Liberty wherein (as was plainly stated) mere abstract fulmination against government—mere advocacy of a return to that communism of property and status recommended by the early Anabaptists—was pronounced worthy of punishment.

Be that, however, as it may, the definition had been formulated and events were shortly to put it to the proof.

Among those at Providence who, in and before the year 1655, were impatient of rules of public order was the old-time opponent of Roger Williams as the would-be founder of Providence upon eleemosynary lines—William Harris. What Harris had been in England, we do not know. He came perhaps from the County of Kent, for Williams, writing in 1679, alludes to him as “an impudent morris-dancer”<sup>2</sup> of that county, who, “under the cloak of scurrilous jests against the Bishop, got into a flight to New England.” His chirography, minute, square, and neat (albeit so intensely individual as to be difficult), and his familiarity with business methods and with the English statute law, show that his practical education had not been neglected.

<sup>1</sup> Dr. J. G. Palfrey has sagaciously remarked (*Hist. New Eng.* vol. i., p. 423) that “Roger Williams was not the first man, nor the last, to discover that it is one thing to conduct an opposition and another thing to carry on a government.”

<sup>2</sup> “And like a morris-dancer dress’d with bells  
Only to serve for noise and nothing else.”

S. Butler, *Human Learning*, ii.

The ship that brought Roger Williams to America (the ship *Lyon*) likewise brought William Harris and an only brother, Thomas. At this time Harris was about thirty years old, and in every way the antithesis of his fellow-passenger Williams. That is to say, while Williams was handsome and winning in aspect, generous and enthusiastic in temper, philosophic in mind, and eloquent in word, Harris, according to a tradition preserved by his own descendants, was harsh and irregular of feature, brawny of body, resentful and pertinacious in temper, keen of perception, and in speech rasping and acerbic. In short, Williams and Harris were respectively idealist and realist strikingly individualized. As such, they of course failed to comprehend each other, and came soon in conflict.

The first real clash between the men was that (mentioned in Chapter IV.) over the disposal of the lands granted by Canonicus and Miantonomi in the "towne evidence." As a result of this clash, Harris obtained a one-thirteenth several interest in the tract known as the Pawtuxet purchase, and, moving to Pawtuxet, was permitted by his co-proprietors to take up an allotment of some 750 acres near the Pachaset River, he building his house at the south end of Blackmore Pond.<sup>1</sup> But, although now (1643) the owner of an estate, our realist was to all intents and purposes in extreme poverty. He had no money and no goods, and consequently no swine, nor cattle. Under these discouraging conditions he was led to regard with

<sup>1</sup> William J. Harris found remains of the cellar in 1828.

approval the tenets of the pre-Mennonite Anabaptists, in favor of a community of possessions, and against magistracy for Christians. He even, it would appear, professed to espouse the Anabaptist tenet against fighting, but here the flesh proved altogether too weak. It is the testimony of Williams that, about 1645, he was expelled from town meeting for "bloud-sheeding in ye Kings high way," and that, later, he intermingled his pacific doctrines with the very unpacific practice of issuing challenges to combat with "pistoll & rapier." Indeed, Williams quotes one of Harris's friends as saying that, down to 1656, he (Harris) had lived in the woods morosely defiant, "like another Nebuchadnezzar not fit for ye Societie of Men." <sup>1</sup>

Making some allowance for exaggeration in Williams's statements, it yet remains true, I think, that they are substantially accurate; for, in the year 1656, Harris published to the four towns of Providence, Warwick, Portsmouth, and Newport a dissertation—the fruit of his poverty-stricken years in the wilderness—inveighing against every sort of political institution.

The dissertation unhappily has not come down to us, but from what is said of it by Williams, and from the finding with regard to it of the General Court at Newport, it was composed in the allegorical fashion of the times, and abounded in vituperative expressions. In its pages the Harris party, or ultra Anabaptists, seem to have been represented as the House of David, and public

VOL. II.—5      <sup>1</sup> *Prov. Rec.*, vol. xv., p. 123.



officers in general, as the House of Saul. The latter were characterized as "thieves, robbers, hypocrites, satyrs, owls, Courts of owls, dragons, devils, soldiers, and legions of devils," and were said (as a House) to be growing weaker and weaker, while their adversaries, the House of David, were growing stronger and stronger. Nor at first did Harris seek to extenuate the character of his treatise; for, when taken to task for it, he boldly declared that in any event "he had nothing to lose but an old coat for the hangman," and would therefore "maintain his writings with his blood."

The result was that on March 10, 1657, Williams, as President of Providence Plantations, caused our realist to be arrested on the charge of "open defiance against the Charter, all our lands and Court, the Parliament and Lord Protector and all government"; also, his property to be seized, and his person to be committed pending the convening of the General Assembly at Newport, in May. Strange, however, to relate, when May came and the case was called, Williams was not on hand to prosecute. As in the proceedings instituted against Robert West, Catharine, the wife of Richard Scott, Ann Williams, and others, so in this proceeding, the President (now ex-President) of Providence Plantations had been quick to set the machinery of the law in motion, but had then to all appearances absconded and left the machinery to take care of itself.

The record on this point in the case of Harris is as follows:

"Upon the Court taking cognizance of the accusation layd

against William Harris of Providence and Pawtuxet by Mr. Roger Williams of Providence ; together with an impeachment of High Treason against the said William Harris, which impeachment is in writing subscribed Roger Williams President ; and here apeareinge noe man to declare (viva voce) against the said Harris, nor noe examination concerninge the said impeachment; the Court declareth that the sayd William Harris stands lyable together with his sureties to apeare at, and attend the Court of Commissioners at Warwicke, it being adjourned thither to begin the 4th day of July next; And further this Court doe require the Attorney General to take notice of the case, and take out summons to require Mr. Roger Williams there to apeare, and to make out his charge against William Harris face to face; for as much as the Court cannot now proceed to the tryall by reason Mr. Williams doth not apeare to make out his charge."

On July 4th, Williams reluctantly came before the court at Warwick, and the Harris case was taken up. First, the accused was required to read aloud one of the copies of his dissertation, Williams verifying the reading from the original manuscript ; then a letter written to the court by the accuser was ordered read ; and, last, there were brought forward the charge against Harris and a reply to the dissertation which had been prepared by Williams. The court thereupon took the case under advisement, and, after receiving in the premises the report of a special committee, composed of "Mr. John Weeks and Mr. John Easton," found it "delivered as for doctrine in Harris's treatise (the author having much bowd the Scriptures to maintaine) that he that can say it is his conscience ought not to yield subjection to any human order amongst men." It was therefore decided—in the light of the

definition of sedition common to the times, which was also Williams's definition—that the behavior of Harris had been “both contemptuous and seditious.” As to whether the offence amounted to high treason, however,—particularly under the government of the Lord Protector,—there was doubt, and the papers in the case were forwarded to John Clarke to be laid before the proper officers in England for an opinion. The accused meanwhile was held bound to good conduct in the sum of five hundred pounds sterling.<sup>1</sup>

With the despatch of the papers to England, the case against William Harris came to an end, the ship employed (Captain James Garrett's) having the ill fortune to go to the bottom.<sup>2</sup> Nor is it likely, in any event, that the level-headed, unemotional John Clarke would have seriously troubled the legal advisers of Oliver Cromwell with a case the treasonable element in which was so absolutely wanting. Still, as the matter actually stands, it manifestly was due rather to the interposition of Neptune than to anything else that the colony was able, in the case of Providence, to meet without

<sup>1</sup> *R. I. Col. Rec.*, vol. i., pp. 361, 364. In a letter to Captain Richard Deane, of date Nov. 14, 1666, Harris claims that he was tried for the offence of “contempt of all government,” and acquitted by the jury. It was afterwards, he says, that he was prosecuted for high treason. The records furnish no evidence of two trials. See S. S. Rider's *Book Notes*, vol. xiii., p. 266.

<sup>2</sup> Mr. S. S. Rider was the first to call attention to the loss of the papers in the Harris case by the foundering of the ship (*Ibid.*, p. 266). John Hull thus alludes to the shipwreck in his *Diary*: “4th month [1658] We heard by two ships that came in from England that Master James Garrett's ship was not arrived, and looked so foundered in the sea, and so persons and estates lost.”—*Coll. Am. Antig. Soc.*, vol. iii., p. 184.

serious discredit the subtle test of Soul Liberty contrived by Destiny at the hands of Harris.

Roger Williams had been succeeded in the Presidency on May 19, 1657, by Benedict Arnold, and it was during the incumbency of the latter that the trial of William Harris took place. Other occurrences, too, there were during Arnold's term (a term protracted by re-elections till May 22, 1660), but from the standpoint of practical Soul Liberty the one occurrence, besides the Harris case, sufficient in importance to be called an event was the position assumed by Providence Plantations upon the question of the Quakers.

We have already seen that the distinctive thing about the Quaker, as also about the Anabaptist and the Antinomian, was his conviction of guidance by the light of the spirit—by the inner light. With the Quaker this light did not supersede that of the Scriptures, but it largely supplemented it. The opening left for fanaticism, therefore, was not inconsiderable; for the fancies and promptings of the devotee—the result often of a disordered psychical condition—were nowhere made subject to rectification. As a consequence, Quakers, whether in Old England or in New, were led to do many strange things.

For example, in Old England they did such things as cry aloud against formalism in the public streets; go—as did their founder George Fox himself—to “steeple houses,” and cry against

them as "idol temples" and against the worshipers therein as idolaters; denounce the pomp of State funerals, as did Edward Burroughs that of the cortège of Oliver Cromwell, exclaiming: "Plagues! Plagues! and Vengeance against the authors of this Abomination!" enter the Parliament House as did one day a woman with a pitcher which she shattered before the astonished Commons, shrieking, "So shall ye be broken in pieces!"<sup>1</sup> Not, perhaps, that many Quakers did things like these; but that under the doctrine of the inner light any Quaker, moved by excitement or hallucination, might do them; and that some actually did do them.<sup>2</sup>

Then, again, the Quaker—like the Mennonite Anabaptist, but unlike the Antinomian—was a disbeliever in war and fighting, and this led to courses looked upon by the world as strange. Finally, he was an indefatigable missionary, betaking himself, in the person of John Hall, to distant Denmark; in the person of William Ames, to

<sup>1</sup> Mather in the *Magnalia* (bk. vii., ch. iv., par. 3) gives the following amusing caricature of Quaker invective: "Thou fiery fighter and green-headed trumpeter; thou hedge-hog and grinning dog; thou bastard that tumbled out of the mouth of the Babilonish bawd; thou mole; thou tinker; thou lizzard; thou bell of no metal but the tone of a kettle; thou wheelbarrow; thou whirlpool; thou whirligig. O thou firebrand; thou adder and scorpion; thou louse; thou cow-dung; thou moon-calf; thou ragged tatterdemallion; thou Judas."

<sup>2</sup> This is well illustrated in the case of the eminent Quaker, Robert Barclay of Ury, who, in obedience to the light within, laid aside dignity and good judgment upon one occasion in 1672, and walked through the streets of Aberdeen covered with sackcloth and ashes. "I was," he says, "commanded of the Lord God . . . great was the agony of my spirit . . . I besought the Lord with tears that this cup might pass away from me."—Hallowell's *Quaker Invasion of Mass.*, p. 7.

the Palatinate; in the person of Samuel Fisher, to Holland; in the persons of other zealots, to France, to Italy, and to Greece; and, at length, in the person of Mary Fisher, a sweet and comely maiden, to the Great Turk, Mohammed IV., as he lay with his army encamped near Adrianople. And these three things named — conviction of the inner light, non-resistance, and missionary zeal — produced a creature not merely strange, not merely *sui generis*, but of well-nigh irresistible power. He possessed the combined advantages of lion-like boldness and lamb-like gentleness, of the wisdom of the serpent and the harmlessness of the dove. He feared neither kings nor magistrates, and was enamored of self-sacrifice even unto death. Well might the Puritan tremble in the presence of such an enemy more than in the presence of an army with banners, for that which was to be met with in him was not simply the heresy of the inner light,—already once vanquished in the person and followers of Anne Hutchinson,—but the heresy of the inner light sustained and magnified by indomitable patience.

The first Quaker missionaries to New England were Mary Fisher (she who later on was to brave the Turk) and Anne Austin. They came from Barbadoes to Boston, in July, 1656, in the ship *Swallow*, Simon Kempthorn master. They were not allowed to disseminate their views, but—their tracts having been seized and burned—were lodged in Boston jail, subjected to a ruthless physical scrutiny

for "witch-marks," denied food, and at length, on August 5th, shipped back to Barbadoes by the vessel in which they had come. Hardly had Mary Fisher and Anne Austin been thus summarily got rid of, when (August 7th) there came sailing into Boston Harbor a ship from London bringing eight other Quakers, namely, Christopher Holder, Thomas Thurston, John Copeland, William Brend, Mary Prince, Dorothy Waugh, Sarah Gibbons, and Mary Weatherhead. These also were promptly taken in hand, their books and pamphlets confiscated, their persons imprisoned, and, after eleven weeks, all forcibly despatched home.

The struggle was now fairly begun. In Massachusetts Endicott was Governor, with Richard Bellingham as Deputy, and John Norton (stern and melancholy) as—by virtue of his succession to the position of teacher in the Boston Church—chief priest and arch-inquisitor. What might be expected from this trio had been well indicated in a warning from Endicott to Holder and his companions: "Take heed ye break not our ecclesiastical laws, for then ye are sure to stretch by a halter." Nor, in turn, had the Quakers failed to give a sign of their quality by saluting Endicott—through the lips of Mary Prince—with the epithets, "vile oppressor" and "tyrant," and by foretelling against him the smiting wrath of God, as, now and again, he passed the jail on his way to his rigorous Sabbath devotions.

In refusing to receive the Quakers, Massachusetts acted under color of the statute (men-

tioned in Chapter II.) adopted to turn away the Antinomian supporters of Wheelwright. But this statute was felt to be wholly inadequate for the new sect, and, on October the 14th, 1656, under authority granted by the Commissioners of the United Colonies, Massachusetts passed an act reciting, that

“ ‘Whereas there is a cursed sect of heretics lately risen up in the world which are commonly called Quakers,’ therefore, be it ordered that shipmasters bringing into this jurisdiction any known Quaker or Quakers shall be fined £100 and be required to give bond to carry such Quaker or Quakers back to the place whence they were brought ; and further be it ordered that any Quakers coming into this jurisdiction shall be forthwith committed to the House of Correction, and at their entrance severely whipped and be kept constantly at work, and none suffered to converse or speak with them ; and further be it ordered that if any person knowingly shall import any Quaker books or writings he shall pay for every such book or writing five pounds ; and further be it ordered that if any person within this colony shall defend the heretical opinions of the said Quakers, he shall be fined for the first offence forty shillings, and for the second offence four pounds, and for the third offence shall be banished ; and it is ordered lastly that if any person shall revile the office or person of magistrates or ministers, as is usual with the Quakers, he shall be severely whipped or pay the sum of five pounds.”<sup>1</sup>

An opportunity for testing the merit of the foregoing act soon presented itself. Early in 1657 Anne Burden and Mary Dyer arrived in the Bay from England. The former, for some time a Quakeress, came to collect certain debts due the estate of her deceased husband ; and the latter to

<sup>1</sup> *Mass. Col. Rec.*, vol. iv., p. 277.



pass on to Rhode Island where dwelt her husband, William Dyer. In 1652, when Dyer went to England as assistant to John Clarke, he had been accompanied, or preceded, by his wife Mary. While abroad Mistress Dyer had permitted her Antinomianism to merge in Quakerism, and she had remained in England, probably engaged in evangelistic work, some years after the return of her husband to Newport. She and Anne Burden, therefore, were legitimate prey to the late statute: Mistress Burden was imprisoned and harshly treated, while Mistress Dyer was given in charge of William Dyer, on his binding himself in a heavy sum to remove her out of Massachusetts without lodging her in any town during the transit, and without permitting her to have speech with any person.

But, while Mistresses Burden and Dyer were so being disposed of that the delicately poised opinions of the Bay Theocracy should in no wise suffer a jar from Quakerism, the Christopher Holder party, who had been sent home, had, with only two exceptions, been moved by the spirit immediately to return to America and resume their interrupted labors. They landed at New Amsterdam in June, 1657, to the number (counting recruits) of eleven. Five of these tarried among the Dutch; the others went to Rhode Island. Mary Clarke, one of the recruits, made her way from the Island to Boston; while Christopher Holder and John Copeland, departing thence, essayed the wrath of Salem. The woman was torn with twenty stripes and banished; the

two men were visited with thirty stripes each and likewise banished.

The Mary Clarke and the Holder-Copeland episodes convinced Massachusetts that the law of October 14, 1656, was lacking in stringency. It also convinced them of something else, and that was, that while the Quaker could be prevented from entering Massachusetts by way of the sea, which, so to speak, was the front door of the colony; and while he also could be prevented from entering by way of Plymouth, Connecticut, and New Haven, which might be regarded as side doors; he had a wholly unobstructed entrance by way of Providence Plantations, which was the back door.

Accordingly, on September 12th, the Commissioners of the United Colonies, at the instigation of the Bay, addressed a note to the President of Providence Plantations, stating that the course of that colony, in admitting and in tolerating the Quakers, was a great annoyance to the Confederation, and asking that such course be discontinued; furthermore, there was an intimation given that, unless the request made was granted, the ordinary channels of intercolonial trade (which were a means by which the poisonous Quaker virus was introduced into the Theocratic system) might have to be closed.<sup>1</sup>

To this communication President Benedict Arnold and the magistrates made reply, on October 13th, professing entire willingness to heed all

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 374.

requests from the United Colonies, or from any single colony, for the rendition of fugitives from justice, but stating concerning the Quakers : " We have no law whereby to punish any for only declaring by words their minds and understandings concerning the things and ways, of God as to Salvation and an eternal condition." The reply stated, further,

" that in those places where these people aforesaid in this Colony, are most of all suffered to declare themselves freely, and are only opposed by arguments in discourse, there they least of all desire to come, and we are informed that they begin to loathe this place, for that they are not opposed by the civil authority ; and we surely find," continued the reply, " that they delight to be persecuted by civil powers, and when they are so they are like to gain more adherents by the conceit of their patient sufferings."

The reply concluded with the adroit confession : " Yet we conceive that their doctrines tend to very absolute cutting down and overturning relations and civil government among men, if generally received " ; and, in view of this, a promise was made to refer the whole question to the General Assembly the ensuing March.<sup>1</sup>

When March, 1658, came, the Assembly took up the matter, and, on the 13th instant, wrote to Massachusetts, affirming that " freedom of different consciences " had been " the principle ground of their charter," and that " this freedom they still prized as the greatest happiness that men can possess in this world." All, therefore, that they could do regarding the Quakers, they said, was to seek

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 376.

counsel from the Lord Protector.<sup>1</sup> And counsel they sought accordingly in a letter addressed, on November 5, 1658, to the faithful John Clarke. In this letter they recited the demand of the United Colonies and their own reply, and, calling attention to the implied threat by the Confederation to place them under a "boycott," expressed themselves as fleeing to his "Highness and honorable Council" that "wee may not be compelled to exercise any civill power over men's consciences soe longe as humane orders in poynt of civility are not corrupted and voyalated."<sup>2</sup>

Thus did Providence Plantations, at a formidable crisis, and by official action, place itself squarely upon record in favor of Soul Liberty as a permanent principle of conduct.

It is evident, moreover, that the course of the government was in accord with the wishes of practically the whole people. As early, for example, as September 16, 1656, our old acquaintance, Samuel Gorton ("De Primo"), hearing that Christopher Holder and his companions were undergoing imprisonment in Boston, and knowing well from his own experience what that fact signified in the way of barbarity, wrote to them a letter of consolation in which he said:

"If we knew that you had a mind to stay in these parts after your enlargement (for we hear you are to be sent back for England) and what time the ship would set sail, or could have hope the master would deliver you, we would endeavor to

<sup>1</sup>*R. I. Col. Rec.*, vol. i., p. 378.

<sup>2</sup>*Ibid.*, p. 396.

have a vessel in readiness, when the ship goeth out of the harbor, to take you in, and set you where you may enjoy your liberty. I marvel," he exclaims in concluding, "what manner of God your adversaries trust in who is so fearful of being infected with error."<sup>1</sup>

Then again, soon after the enactment of the Massachusetts law of October 14, 1656, Nicholas Upsall — an aged innkeeper of Boston — who had been banished for querying somewhat audibly, whether the Bay, in their law, might not peradventure be found fighting against God, was tenderly received at Newport. Providence Plantations indeed — both Rhode Island and the Mainland, but far more the Island — became rapidly not only a rendezvous for Quaker missionaries from England, and a harbor for Quaker sympathizers from Massachusetts, but a source of Quaker converts. The Bay, therefore, hopeless of intimidating its small neighbor into co-operation with it against the new sect, undertook, on October 14, 1657, to strengthen its own law of the year preceding by enacting that henceforth every male Quaker coming into its jurisdiction, after punishment, should have "one of his eares cutt off"; and if coming a second time, should have "his other eare cutt off"; and that every female Quaker returning after punishment, whether a first or second time, should be scourged and imprisoned. If, however, any Quaker, male or female, ventured a third time into the Bay after punishment, he or she was to have the tongue bored through with a hot iron. This law was sup-

<sup>1</sup> *R. I. Hist. Coll.*, vol. ii., p. 16.

plemented, on October 19th of the next year, by an act banishing all Quakers upon pain of death.<sup>1</sup>

The above legislation had of course but one effect, besides stimulating the growth of Quakerism in Providence Plantations, and that was to excite that Quakerism to activity against the Bay.

In May, 1658, Horod [Herodias] Gardner, a resident of Newport, journeyed thence into Massachusetts to "bear testimony," her babe upon her breast, and, falling into the merciful hands of Endicott, was scourged upon the naked body with ten lashes. In July went from Rhode Island Thomas Harris of Barbadoes, and, essaying to warn the Church of Boston of "the terrible day of the Lord," was "haled" out of the meeting by the hair of his head and sorely whipped. Doubtless also upon hospitable Rhode Island had tarried William Brend, who came from Barbadoes with Thomas Harris, and concerning whom, as he lay, after unheard-of castigation, a mass of bloody flesh upon the prison floor, Elder John Norton said that he (Brend) "having endeavored to beat our gospel ordinances black and blue, if he himself were beaten black and blue, it was just upon him." It furthermore was from Rhode Island that, in June, 1659, William Robinson and Marmaduke Stevenson went to Boston to "try the bloody law unto death," surrendering themselves to the magistrates provided with the very linen for their shrouds.

Nor was the town of Providence content to be

<sup>1</sup> *Mass. Col. Rec.*, vol. iv., pp. 308, 346.

wholly without representation upon the roll of Quaker martyrs, for, when Catharine Scott, the wife of Richard Scott and sister of Anne Hutchinson, went, in November, 1658, to Boston to visit Christopher Holder,—the man (probably) who had converted the Scott family to Quakerism, and who since had suffered the cropping of one of his ears,—she was whipped with ten lashes. Just before the whipping, Endicott said to her that were she to come thither again there was likely to be a law to hang her. To this she replied: "If God call, wo be to us, if we come not; . . . I question not but he whom we love will make us not to count our lives dear unto ourselves for the sake of his name,"—a sign of determination which drew from the Governor the savage jest: "And we shall be as ready to take away your lives as ye shall be to lay them down."

This visit of Catharine Scott was followed, in June, 1659, by that of her little daughter Patience, eleven years old, who trudged all the long way to Boston to bear witness, as she said, against the persecuting spirit of the Bay, and who, in consideration of her infancy, was dismissed by the magistrates without punishment; while close upon the heels of little Patience,—that is, in October, 1659,—came an older sister, Mary, in the company of Hope Clifton and Mistress Dyer of the Island, on a visit to Christopher Holder, her intended husband.<sup>1</sup>

But the martyr *par excellence* of the whole

<sup>1</sup> Bishop's *New Eng. Judged*, pp. 95, 114, 119.

Quaker persecution was she of whom we have already caught chance glimpses as she came and went upon what she devoutly conceived to be her Lord's business — I mean Mary Dyer. No woman suffered the extreme penalty of the Massachusetts law save this woman from Rhode Island, and her strange story must now engage our attention.

In the old days of the Antinomians in Boston, Mary Dyer was a disciple of Anne Hutchinson. She is described by Winthrop, in 1638, as "a very proper and fair woman, but of a very proud spirit and much addicted to revelations." From the first, however, she had the courage of her convictions; and when Anne Hutchinson, in obedience to the command of the Rev. John Wilson, arose that March day and passed out of the Boston Meeting-house, excommunicated, Mary Dyer likewise arose and passed out with her. As she did so, one, a stranger in Boston, asked: "Who is that young woman?" and the reply — in allusion to a misfortune in child-birth which she had recently suffered — was: "It is the woman which had the monster."<sup>1</sup> That Mistress Dyer had in reality borne a monster, it is of course unnecessary to deny; but the fact of her misfortune, taken in connection with that of her nervous, susceptible nature, may well furnish an explanation of her sad, yet sweetly devoted, career.

<sup>1</sup> John Hull writes in his *Diary*, under date September 26, 1658: "Mary Dyer of Rood Island, who about twenty years since was of Boston, and brought forth a hideous monster, part like a man, part like a fish, part like a bird, part like a beast, and had no neck; it had scales, claws, and horns." This description follows Winthrop's much more elaborate one in his *Journal*.



Our last glimpse of this interesting woman revealed her in the attitude of a visitor to Christopher Holder as he lay imprisoned in Boston, in 1659. Shortly before this she had paid a visit to William Robinson and Marmaduke Stevenson, and along with them had been banished from Massachusetts on pain of death. Her return to see Holder, therefore, subjected her to the death penalty beyond question, and in this she no doubt secretly rejoiced. On October 19, 1659, Mary Dyer, together with Robinson and Stevenson (for they, too, had returned to die), were summoned before John Endicott. On being asked why they had defied the law, their answer was, in substance, because the law condemned the innocent. This reply seemed to disturb the Governor, but, controlling himself, he ordered the culprits to prison. The next day they were again summoned (John Norton meanwhile having done what he could to nerve the Governor's arm to the shedding of blood by a fierce discourse), and it was particularly demanded of them why neither whipping, imprisonment, mutilation, nor banishment upon pain of the gallows, was regarded by the Quakers,—Endicott remarking that he desired not their death. Perhaps by this time there had begun to dawn upon the Governor some perception of the inevitable triumph of that heresy whose devotees were not merely unafraid to die, but who welcomed death as a bridegroom. If so, he shut his mind to it and delivered sentence.

Robinson and Stevenson were first disposed of,

and then their companion. "Mary Dyer," slowly repeated Endicott, "you shall go to the place whence you came, and from thence to the place of execution, and be hanged there until you are dead." "The will of the Lord be done," clearly responded the victim. "Take her away, marshal!" said Endicott. "Yea, joyfully shall I go," was the final word, and she was hurried from the room.

On the 27th of October, — the day fixed for the hanging, — the three condemned were taken from their respective places of confinement by the marshal, assisted by Captain James Oliver with a band of soldiers, and led by a back way — drums beating the while to keep them silent — to Boston Common. Here a ladder had been planted against the strong bough of an elm, and from this bough depended a rope. But before the gallows-tree was reached, the Rev. John Wilson — he who had loosed ecclesiastical thunders against Anne Hutchinson; who had personally brought the scalp of Sassacus from the Pequod slaughter; and who, according to Bishop, had raged with disappointment at the liberation of Samuel Gorton — met the guard and began jeering at Robinson and Stevenson, lightly shaking his hand and exclaiming, "Aha! Aha! Shall such Jacks as you come in before Authority with your hats on?" At the foot of the tree the prisoners, who had been walking hand in hand — Mary Dyer between her companions — were separated, and, after a tender farewell, the two men — cheerful, and with that

ruddiness of countenance which cheerfulness imparts — were quickly swung off. The marshal then turned to Mary Dyer and asked her if she was not ashamed to have walked hand in hand between two young men. "It is an hour of the greatest joy I can enjoy in this world," she replied. "No eye can see, no ear can hear, no tongue can speak, no heart can understand, the sweet incomes and refreshings of the spirit of the Lord which I now enjoy." Then, in the presence of the dangling bodies of her late companions, her arms and legs were tied, a handkerchief (loaned by the Rev. John Wilson) was spread over her face, and the noose adjusted about her neck. And then — but for the present this was all. An officer thrust himself upon the scene bearing an order of reprieve from the magistrates. The order had been granted at the intercession of the son of the victim, and the paper containing the intercession was publicly read in the victim's ears as she stood dumbfounded upon the scaffold.

It had all been contrived by the magistrates with an excellent eye for effect. Petitions in behalf of the three condemned had for some time been in the magistrates' hands. John Winthrop, Jr., had besought mercy for the prisoners, and through them for Massachusetts, "as on his bare knees"; while Colonel Thomas Temple, lately appointed "Governor of Acady and Nova Scotia" by Oliver Cromwell, had offered to take them away from Massachusetts and provide for them at his

own charge, and, should they return, to take them again — to the end that the Bay might be spared the ignominy of their death : circumstances which render it altogether probable that the son's plea in behalf of Mary Dyer had been received, weighed, and acted upon before ever the mother left her prison for the fatal tree on the common.<sup>1</sup> Evidently, therefore, what the magistrates had resolved upon was to hang Robinson and Stevenson for the sake of the example, and at the same time to earn with the people a name for clemency by sparing Mary Dyer, after an attempt thoroughly to intimidate her by subjecting her, Indian fashion, to all the pains of anticipated death.

But there had been issued a reprieve, and the victim was standing upon the ladder dazed before it. The people, however, were not dazed, but rejoiced, and, in disregard of the victim's earnest request to be allowed to collect herself and decide what to do, were pulling the ladder down with her still upon it, when she was taken in the arms of the officers and conveyed to her old prison. Thence, the day following, she sent a letter to the General Court, saying that she chose rather to die than to live as though guilty of the innocent blood

<sup>1</sup> Indeed, the *Massachusetts Records* convert the probability into a certainty, for the entry stands : "Whereas Mary Dyer is condemned by the General Court to be executed for her offences ; On the petition of William Dyer her son, It is ordered that the said Mary Dyer shall have Liberty for forty-eight Hours after this day to depart out of this Jurisdiction, after which time, being found therein, she is forthwith to be executed, etc. And it is further ordered that she shall be carried to the place of Execution and there to stand upon the Gallows with a Rope about her neck till the Rest be executed ; and then to return to the Prison and Remain as aforesaid."

of her companions. But the court must keep its name for clemency with the people, and so, quietly had their victim placed on horseback and conducted fifteen miles toward Rhode Island, where she was left with a single attendant to make her way to her home.

But infatuation so profound as that by which Mary Dyer was possessed — an infatuation amounting to psychical disorder — was not to be allayed. She had resolved to impale herself upon the sword which, as represented by Longfellow, the Puritan had set point outward at the gate of the Theocracy. And this the more had she resolved in view of the advantage which she felt that Massachusetts had gained by evading the guilt and odium of her own death, at the time of the execution of Robinson and Stevenson. The consequence was that she was restless both in mind and body, and spent much of her time upon Long Island, away from her home and family. Finally, on May 21, 1660, she once more appeared in Boston, and soon was in the presence of the scowling Endicott.

"Are you the same Mary Dyer," asked the Governor, "that was here before?"

"I am the same Mary Dyer that was here the last General Court," she replied.

"You will own yourself a Quaker, will you not?"

"I own myself to be reproachfully so called."

"Sentence was passed upon you the last General Court; and now likewise; . . . you must go to the gallows!"

"This is no more than what thou saidst before."

"But now it is to be executed," said Endicott. "Therefore prepare yourself to-morrow at nine o'clock!"

A few days previous to the above colloquy—that is, on May 27th—William Dyer had penned a heart-broken letter to Governor Endicott from Portsmouth. The letter is still preserved in the Massachusetts Archives, and its stained pages attest, we are told, the truth of the writer's words at the close: "I begg itt [mercy] with teares."<sup>1</sup> But the letter also reveals clearly the disordered state of her in whose behalf it was penned, for it relates: "I have not seen her above this half yeare . . . so itt is from Shelter Iland about by Pequid Narragansett & to the Towne of Providence she secretly & spedily journeyed, & as secretly from thence came to your jurisdiction, unhappy journey may I say." . . . Dyer's letter was so far effective of its purpose that, on June 1st, as his wife stood upon the scaffold, she was offered her life if she would depart the jurisdiction; but she steadfastly refused,<sup>2</sup> and was hanged. As her body swayed to

<sup>1</sup> This letter of May 27, 1660, to Endicott had been preceded by one from Dyer, dated August 30, 1659, to the Court of Assistants, accusing them of having "done more in p'secution in one yeare than the worst bishops did in seeven" (New York *Nation*, No. 1926, p. 424). It was in reply to the earlier communication that the Massachusetts Government issued its famous apology—the work of Elder Norton—entitled *The Heart of New England Rent*, wherein fear of another Münster horror was assigned in justification of the practice of putting Quakers to death.—New York *Nation*, No. 1931, p. 9.

<sup>2</sup> "At the time of the execution to some that said, If she would return she might come down and save her life, she answered, Nay I cannot, for in obedience to the will of the Lord God I came, and in his will I abide faithful to the death. And to Captain Webb, who said she . . . had

and fro at the end of the rope, one of the magistrates — a man of whom we shall see much in a later chapter — Humphrey Atherton by name — pointed at it in derision, saying that it hung like a flag.<sup>1</sup> But whatever Atherton might say, Mary Dyer by her martyrdom had been the means of giving to the principle of Soul Liberty, as cham-

broken the law in coming again, and . . . was guilty of her own blood, she said, Nay I came to keep blood-guiltiness from you, desiring you to repeal the unjust law of banishment upon pain of death, etc. And to Priest Wilson bidding her Repent she said, Nay, man, I am not now to repent. Being asked whether she would have the elders to pray for her, she said, I know never an elder here. They asked whether she would have any of the people to pray for her. She said she desired the prayers of all the people of God. Some scoffingly said, It may be she thinks there is none here. She, looking about said, I know but few here. Then they spoke to her again that one of the elders might pray for her. She reply'd: Nay first a child, then a strong man, before an elder of Christ Jesus."—*Truth and Innocency Defended*, pp. 75-76.

The *Friends Records* of Portsmouth, R. I., contain the following entry: "Mary Dyer the wife of William Dyer of Newport in Rhode Island: she was put to death at the Town of Boston with ye like cruil hand as the martyrs were in Queen Mary's time and there buried [on the common] upon ye 31 day of ye 3d mo. 1660" [error of one day in the date].—Quoted in Judge Rogers' *Mary Dyer of R. I.*, p. 63.

<sup>1</sup> On Sept. 17, 1661, Humphrey Atherton was thrown from his horse and killed. The accident occurred at a training on Boston Common, and near the spot where Mary Dyer had been hanged. There were not wanting persons to suggest that Atherton's horse had been frightened by the spectre of the corpse about which he had derisively spoken.

BELLINGHAM.

"His horse took fright and threw him to the ground,  
So that his brains were dashed about the street."

ENDICOTT.

"I am not superstitious, Bellingham,  
And yet I tremble lest it may have been  
A judgment on him."

BELLINGHAM.

"So the people think."

—LONGFELLOW'S *John Endicott*.

pioned by the Quaker of Providence Plantations, a signal triumph over the principle of persecution as championed by the Puritan of the Bay.

After the death of Mary Dyer, only one Quaker suffered capital punishment in Massachusetts, and that was William Leddra. He died March 14, 1661. Wenlock Christianson, a friend of Leddra's, was found guilty as a Quaker, in May or June, 1661, but by that time public opinion had become so hostile to the infliction of the death penalty for mere Quakerism that, of all the magistrates, Endicott alone proved to have the hardihood to pronounce sentence of death upon Christianson; and he even had to give way in face of the Vagabond Act, so-called, passed on May 22d. By this act, which was meant as a substitute for the old law, undomiciled or vagabond Quakers were to be stripped naked to the middle, tied to a cart's tail, and flogged from town to town to the border; while domiciled Quakers were to be banished, under the law of 1658, and then treated as vagabonds.

It happened that, so far as New England was concerned, it was after the passage of the Vagabond Act that the most striking exhibitions of that extravagance which, under the doctrine of the inner light, lay implicit in Quakerism were given. To witness: in 1661, during the trial of Christianson, Katharine Chatham paraded the streets of Boston in sackcloth; and in the same year Elizabeth Hooton appeared in the streets of Cambridge, crying, "Repentance! Repentance! A day of howling



and sad lamentation is coming upon you all from the Lord." Furthermore, in November, 1662, and May, 1663, Deborah Wilson in Salem, and Lydia Wardwell in Newbury, astonished and scandalized the public by appearing, the one in church and the other in the streets, stark naked,—as a testimony (and certainly no testimony could have been more striking) against Puritan methods of persecution by flogging. Of course both Deborah Wilson and Lydia Wardwell were mentally unbalanced, but the trouble with Quakerism was, that according to the doctrine of the inner light,—and this is admitted by Quaker writers of standard authority,—walking about naked, or doing any other extravagant thing, so far from being necessarily a proof of mental disturbance, might be simply an act of high obligation enjoined of God.<sup>1</sup>

It was because of this opening for fanaticism in the Quaker system that the great apostle of Soul Liberty in New England, Roger Williams, was led to denounce the doctrine of the inner light, and to denounce it so far as very nearly, if not quite, to compromise his own past, by recommending for the Quaker something like moderate chastisement.

The facts—to be touched upon more in detail in a succeeding chapter—are these : Williams had,

<sup>1</sup> John Burnyeat said, in debate with Roger Williams, that "if it should please the Lord God to stir up any of his daughters so to appear, as a sign and testimony against the nakedness of others, they durst not condemn it." In the same debate John Stubbs quoted the example of Isaiah as justifying nakedness for a sign. *George Fox Digg'd* (Narr. Club ed.), pp. 60-61. George Fox takes a like position with that of Burnyeat and Stubbs in the *New England Fire Brand Quenched* (p. 28).

from curiosity, early been attracted to the writings of George Fox. In 1659 or 1660, he read Fox's book, *The Great Mystery etc., Unfolded*. The views therein expressed, leading, as the reader conceived, to a virtual abrogation of the Scriptures as the sole revelation of the Divine will, did not commend themselves; and when these views were given practical illustration at Newport and in Providence by the novel use of "thou" and "thee" and by the obtrusive retention of the hat<sup>1</sup>; and in Salem and Newbury by the practice, both novel and obtrusive, of dispensing with all clothing unless perchance it were the hat or bonnet,—the indignation of the controversialist of former days was aroused, and he longed to meet Fox in dialectical combat. He never met Fox, but, in 1671, he did meet Fox's lieutenants, John Burnyeat, John Stubbs, and William Edmundson. With them he held a three days' debate at Newport, in which again and again, and with wide variety of striking image and phrase, he taunted the Quakers with holding forth, in the dogma of the inner light, the very doctrine of immediate inspiration upon which were based the vaporings of the Delphic Apollo and the outgivings of Mahomet. "Who are fit," he ironically exclaimed, "to be Kings and Princes, Governors and Judges,

<sup>1</sup> "When the Lord sent me forth into the world he forbid me to put off my hat to any, high or low. And I was required to thee and thou all men and women without any respect to any Rich or Poor, great or small. And as I travelled up and down, I was not to bid people good morrow or good evening; neither might I bow or scrape with my leg to any one." In justification of the retention of the hat, Fox was wont to cite Daniel iii., 21, where the three Jews are described as bound before Nebuchadnezzar "in their coats, their hosen, and their hats."

Masters of Ships and Families, indeed of any place of power or trust but these walking Gods and Christs and Spirits, even the meanest of the Quakers?"

Upon the episodes of the unclad women,—defended as these episodes were by both Burnyeat and Edmundson as in all likelihood the result of Divine promptings,—Williams was still more bitter, speaking of the "stripping Naked of Your Women and Maidens, a case worse than Savage and Barbarous, only practiced by the Bruites, and sometimes by Indians . . . in their drink." His conclusion, therefore, was that the "incivilities" of the Quakers ought to be "restrained and punished," and that such restraint and punishment would not be "persecution," even though the incivilities themselves were committed under pretence of conscience.<sup>1</sup> There can of course, even at this day, be no varying opinions regarding the necessity of restraining people from such exhibitions as were made by the two distracted women of Salem and Newbury. But it is clear that when Williams spoke of the "incivilities" of the Quakers which might without persecution be both restrained and punished, he meant not merely such as were involved in the appearing naked in public, but such as were in-

<sup>1</sup> Williams's readiness to catch at everything like civil insubordination on the part of the Quakers was early shown. Indeed, it was to the question of the Quakers that Harris attributed the existence of trouble between himself and Williams. "Mr. Williams would have sent them [the Quakers] to England," etc., Harris stated to Captain Richard Deane, "therefore I wrote to him telling him of his former large profession of Liberty of Conscience, whereupon his great wrath," etc.

volved in the simple insistence upon the use of "thou" and "thee" and in the obtrusive retention of the hat; for, at pages 306 and 307 of the Narragansett Club's edition of *George Fox Digg'd out of his Burrowes*, the author unequivocally says:

"I have, therefore, publicly declared myself that a due and moderate restraint and punishing of these incivilities [disrespect toward superiors and the use of 'thou' and 'thee,' about which he has just been speaking at length] (though pretending Conscience) is as far from persecution (properly so called) as that it is a duty and command of God unto all mankinde, first in Families, and thence into all mankinde Societies."

How like John Cotton, and how unlike Roger Williams, the word and parenthetical phrase—"persecution (properly so called)"! It is much to be feared that had it been the patriarch of Providence before whom William Leddra was brought, he would have found occasion to say much the same that he actually did say to Endicott: "You will subject me to punishment for speaking English and for not putting off my clothes"—*i. e.*, his hat.<sup>1</sup> Williams, it is true, had been thoroughly goaded by the trials incident to counselling and governing such a political and religious chaos as was Providence Plantations, before he gave utterance to the reactionary sentiment above

<sup>1</sup> Dr. J. Lewis Diman, in his Introduction to the Narragansett Club's ed. of *George Fox Digg'd*, states that Williams "did not invoke against the Quakers the interference of the civil power" (pp. lvi., lvii.). He did not do so respecting their theology *per se*, but he certainly did do so respecting their manners—their use of "thou" and "thee" and their retention of the hat—and, with the Quakers, manners upon such points were also religion. Consult Palfrey's *New Eng.*, vol. i., p. 424 and note.

quoted.<sup>1</sup> William Harris even (whom he looked upon as pretty nearly the embodiment of evil) had come forward to goad him by his doctrinaire anarchy and his half-Anabaptist, half-Quaker, attitude of chagrin, before he uttered this sentiment. But, for all that, the sentiment had no fitting place upon the lips of Williams, and it is altogether to be approved that it met with so little favor from the colony which he himself had planted.

The truth is (to put the whole matter in a sentence) that, amid the turbulence and discord of its jarring sects and factions, Providence Plantations had worked out the idea of Soul Liberty to a point on its civil, as distinguished from its distinctively religious, side to which even Roger Williams had not fully attained.

<sup>1</sup>It would seem that Williams had been honored by a personal visit from two Quaker women in Providence. "They bid me," he says, "repent and hearken to the light within me. I prayed them to sit down, that we might quietly reason together; they would not; then standing, I askt them the ground of their such travel and employment; they alledged Joel's prophesie; I answered that was fulfilled etc. They regarded not my answers nor admonitions, but poured the curses and judgements of God against me, and hurried away," *George Fox Digg'd* (Narr. Club ed.), p. 362.

Freedom of Conscience in Rhode Island  
Granted Formal Recognition by the Eng-  
lish Government, but Political  
Individualism at the Same  
Time Made Subject by  
Rhode Island to Cer-  
tain Wholesome  
Restrictions



## CHAPTER XII

### JOHN CLARKE AND THE CHARTER OF 1663

WE have had occasion to remark the coolness and clear-headedness displayed by John Clarke in the presence of Governor Endicott. These same qualities were next to be exhibited by him in a more imperial presence and upon a broader stage.

Hardly had he returned morally triumphant from Massachusetts, when he was besought by the anti-Coddington party upon Rhode Island to proceed to England to secure a revocation of the act of the Council of State making Coddington Governor of the Island for life. He went, and in conjunction with Roger Williams, set influences at work which soon effected the desired result. In this just how far credit is due specifically to Clarke we perhaps may not know. Williams, in one place, states that the former merely signed the application to the council which he and Sir Henry Vane had draughted,<sup>1</sup> but, according to the estimable William Dyer, it was upon Clarke's "shoulders and credit"

<sup>1</sup> Letter to towns of Providence and Warwick. — *Narr. Club Pub.*, vol. vi., p. 254.



(bolstered by the shoulders and credit of Dyer) that "the weight of affairs was chiefly supported."<sup>1</sup>

Be that, however, as it may, in 1654 Williams came home, and his fellow-diplomat was left in England as the sole representative of Providence Plantations. For a long time there was little in which he could take the initiative. It was pre-eminently a waiting game that he was called upon to play, and for this he was abundantly qualified. He incurred no avoidable expense; did not obtrude himself upon the government, or persons of position; but quietly practised his dual calling of minister of the gospel and physician, and kept alert. "When I left Mr. Clarke in England," writes Roger Williams, in January, 1666, "to negotiate the affairs of the whole Colony I saw with what a Low sale he stood along, with what Content patience and selfe denyall."<sup>2</sup> . . . None the less his colony saw to it that he did not lack for employment in their interest. Their letters to him and demands upon him were frequent, and some of these demands were of a nature highly delicate as well as difficult. In 1657 the Williams-Harris case was sought to be turned over to him by a perplexed magistracy; and, in 1659, he was warned of the veiled threat of Massachusetts to exact compliance with its request for an expulsion of the Quakers.

Late in 1658, or early in 1659, letters came from Clarke with the great news of the death of Oliver

<sup>1</sup> Staples' "Annals of Prov."—*R. I. Hist. Coll.*, vol. v., p. 89.

<sup>2</sup> *R. I. Hist. Soc. Pub.*, n. s., vol. viii., p. 148.

Cromwell and of the succession of his son Richard. To these letters the colony—with that promptitude always evinced by it in hailing the advent of each *de facto* government in England—replied on May 18, 1659, reminding the new Lord Protector that “your Highness’ dearest father was pleased under his owne hand and seale to refresh us also as with the dew upon the grass, and as with a cloud of the latter raine unto us.” But, ere the reply reached its destination, further letters came (August, 1659) telling of the passing of Richard’s power, and of the resumption of control by Parliament. Again there was a breathing spell, during which, in May, 1660, William Brenton of Newport was chosen President. This was terminated in October by the arrival of word from Clarke that Charles II. had landed at Dover, had proceeded to Whitehall, and had there been proclaimed by the Convention Parliament.

The word was accompanied by copies of the various communications between the King and the nation, and these were ordered publicly read at Warwick, where the General Assembly had been called together. It was further ordered, that on “tomorrow morninge,” the 19th of the month, “his Royall Majesty . . . [shall] be proclaimed at eight of the clocke in the presence of this present Court,” and that, on the 21st, “each towne at the head of the company of each trayne band [shall] solemnize the proclamation of the Royall Majestie.”<sup>1</sup> In

<sup>1</sup> The restoration of Charles II. was celebrated with great fervor on the Brenton estate. Elizabeth C. Brenton relates that a huge bonfire was

conclusion the order was fittingly made, "that Mr. John Clarke be commissioned agent for the colony" under the new ruler, and that the draughting of his commission be entrusted to a committee of which Benedict Arnold should be chairman.

It was on May 25, 1660, that Charles II. made his triumphal progress from the coast of Kent with its watching thousands, through a seemingly endless avenue of gay booths and tents, to Westminster. Bells rang, music played, and wine flowed like water. It was a day memorable in English annals. Clarke, it is hardly to be doubted, was among those who beheld the pageant, and he may even have rejoiced in it. If he rejoiced, it was not so much because of the festivities, as because of an announcement which, on the first day of the month then current, had been read in the ears of Parliament as coming from this same prince who now, from his horse, was acknowledging the salutations of his people by gracious smiles and bows.

But this takes us back a little. General George Monk of the Parliamentary Army,—grim, secretive,

lighted at the Lime Rocks, and that Cromwell in effigy, threatened by Satan with a spear, was carried about by a crowd with kettle-drums, hand-bells, and fifes, occasional pauses being made while some one declaimed—

"Old Cromwell! man! your time is come,  
We tell it here with fife and drum;  
And Satan's hand is on your head,  
He's come for you before you're dead,  
And on his spear he'll throw you in  
The very worst place that ever was seen,  
For good King Charles is on his throne,  
And Parliament now you'll let alone."

and adroit,—for some time aware that the mighty Oliver had left behind him a bow which none could bend, and, forecasting in this disaffection among the Independents, coupled with rising confidence among the Royalists,—also having a sharp eye to his own personal safety and fortunes,—began, as early at least as midsummer, 1659, to meditate the restoration of the Stuarts. On July 17th, he was addressed by the King's private agent, Sir John Grenvil, but sternly repelled the advance. By the 17th of the ensuing March, the situation had so far cleared that he consented with great secrecy to meet Grenvil in London. At this meeting the whole subject of a restoration was gone over, and Monk's suggestions were noted by Grenvil in writing. Among these was the following: "And because nothing was more likely to run the people into frenzies than the fear of restraint in their several religions, he did further beseech his Majesty to declare his assent for a Toleration and Liberty of Conscience for all his subjects who should so employ it as not to give any disturbance to the civil government."

Monk and Grenvil separated, and, on the 14th of April, from the little town of Breda in Brabant, Monk's words, adopted by the King, were thrown as a bait to the people of England. The bait was seized. The Declaration of Breda, so called, was, as stated, read before Parliament, and it was this declaration—confirming, as it did, the Providence-Rhode Island idea—that was causing the self-contained John Clarke to smile, with the rest

of his countrymen, as he saw (for he himself was living at Westminster) the second Charles alight at Whitehall, preparatory to that repose which, as we are assured by Macaulay, the restored wanderer now safely took in the palace of his ancestors.

The first thought of the people of Providence Plantations concerning the Restoration was one of joy; their second was one of joy mingled with solicitude for the future of their commonwealth. "How," they began to ask, "would the new monarch regard their charter,—the Parliamentary Patent of 1644?" So weighty, indeed, became this question in their minds, that on May 21, 1661, the General Assembly appointed a committee, headed by Benedict Arnold, "for the drawinge up of somethinge to consider with respecte of sending a man for England." A commission, it is true, had already been draughted authorizing "our trusty and well-beloved friend Mr. John Clarke, physician," to represent the colony before the King, but the colony had not seen Clarke for ten years, and were not in close touch with him; an agent fresh from their midst might better serve the existing emergency. Accordingly the Arnold committee reported a recommendation, that the Assembly "doe nominate three or fower men," from whom a selection of one or two might be made for the English mission. The Assembly thereupon named "Mr. William Brenton, Mr. Benedict Arnold, Mr. John Greene, Mr. William Dyer, Mr. Randall Holden, Mr. Samuel Gorton, and Mr. Roger Wil-

liams." The list was a strong one ; every member of it was a veteran of the colony, and the fidelity of the greater part had been tried as by fire. Following upon the settling of the list, an elaborate act was passed soliciting a free contribution of £200 toward the cost of the proposed mission, whereof Newport was to pay £85, Providence £40, Portsmouth £40, and Warwick £35.

The above was arranged in May, but by August there came a change of programme. In the latter month letters were received by Benedict Arnold from John Clarke. Just what these letters contained,—whether a recommendation that a new charter be applied for, together with suggestions of ways and means, or what not,—we have been left uninformed. One thing we do know, and that is, that on August 27th, it was ordered that "the moneys that is in this present Court ingadged, shall be brought unto the President within six dayes, who is desired to . . . send it to Mr. John Clarke, our agent in England"; and that it likewise was ordered, that "a letter of thankfulness" be sent to Clarke together with "his commission that was drawn up at the Courte at Warwicke, October 18th, 1660."

By the time of the arrival of the commission in question in London, the Cavalier Parliament, which had been assembled early in 1661, had made it manifest that as little as possible of the doings of the famous Parliament, its immediate predecessor—save one—would be allowed to stand. It was all the more necessary, therefore, to obtain for

Providence Plantations the recognition of the King, and to this task our agent now earnestly addressed himself.

Already, on January 29th, he had filed an application reciting the main facts in the settlement of the colony: the "hazards of the vast and swelling ocean," the terrors of the "barbarous wilderness," the compliant spirit of the Indians, and the building of the first homes; and, on February 5th, he caused to be laid before Charles a second application, to which the first was subjoined. The leading note struck in both applications—a note for the striking of which the Declaration of Breda was doubtless the efficient cause—was that of Soul Liberty, or Freedom of Conscience. "Your Petitioners," the first address begins, "were necessitated long since for cause of conscience with respect to the worship and service of God to . . . quit their deare and native country." "Arrived in America" (the address continues), "they, for the aforesaid causes of conscience and for peace sake, were . . . necessitated to travaill further . . . in places . . . where . . . they might with freedome of conscience worship the Lord their God."

The address then represents the petitioners as planting "those parts" in such liberty that they gave "to all in point of freedome of conscience what they desired for themselves, regulating themselves by the lawes of England so farr forth as the nature and Constitution of the place and the professed cause of their conscience would permit."

"So" (the address ends, making the appeal to Charles direct) "shall your servants take themselves greatly obliged while they are quietly permitted with freedom of conscience to worship the Lord their God, as they are persuaded to pray for the life of the King even that he may live for ever and ever."

The second address was largely a recapitulation of the first, but in it Clarke succeeded in putting his case with such memorable happiness and force that the language, prevailing with the Royal Council, passed thence into the instrument which the council, in the King's name, were pleased to grant, and has thus become the common possession and heritage of the Anglo-Saxon. "Your Petitioners," it runs, "have it much on their hearts (if they may be permitted) to hold forth a lively experiment, that a flourishing civill State may stand, yea, and best be maintained, and that among English spirits, with a full liberty in religious concerns."

But the charter was by no means issued immediately. The year 1661 merged in that of 1662, and 1662 lapsed into 1663, and still no charter. For this of course there was a reason. At the same time that Providence Plantations was soliciting the instrument which, upon its appearance, became known as the Charter of 1663, there was actually being delivered to Connecticut a charter comprehending, besides other territory, well-nigh the whole of the present state of Rhode Island outside the



four towns of Providence, Warwick, Portsmouth, and Newport.<sup>1</sup> The situation, indeed, was very much as it was in 1644, when the Roger Williams Patent was interfered with by the claim of Massachusetts under the so-called Patent of Narragansett.

The agent for Connecticut in England, at this juncture, was the friend and correspondent of Roger Williams, John Winthrop, Jr. Winthrop had graduated alike from Bury St. Edmunds and Dublin, had had the advantage of Continental travel, and stood high in the esteem of men influential with the Crown. Reaching London in the autumn of 1662, he at once put himself in communication with that early patron of Connecticut, Lord Saye-and-Sele, and was by him introduced, in a cordial letter, to the Earl of Manchester. Both Saye-and-Sele and Manchester—the former as Lord Privy Seal, and the latter as Lord Chamberlain—were members of the Privy Council, and under their auspices Winthrop made such progress<sup>2</sup> in his mission that by April 23, 1662, the Connecticut charter had passed the seals and become an actuality.

John Clarke, it would seem, knew of the presence of Winthrop in London,<sup>3</sup> but whether he also knew the occasion of it is doubtful. It is true

<sup>1</sup> Literally taken, the language of the Connecticut charter did not exclude even these towns.

<sup>2</sup> In February, 1662, his petition was referred to the Attorney-General, and in about a fortnight the royal warrant was issued for the preparation of a charter.—J. A. Doyle's *Eng. Cols. in Am.*, vol. iii., p. 120.

<sup>3</sup> See letter of John Winthrop to Capt. Edw. Hutchinson.—Arnold's *Hist. R. I.*, vol. i., p. 380.

that Clarke did not receive his own appointment, as agent for Providence Plantations under the Restoration, till late in 1661, and that this may have withheld him from appearing in opposition to Winthrop before January, 1662.<sup>1</sup> But the Connecticut charter was not granted till April, 1662, and why Clarke — if he at all surmised Winthrop's purposes — should have remained silent and unconcerned until after the latter had fully effected those purposes, is something of a mystery. When, however, he at length found himself confronted by the work of the Connecticut agent; when he saw it distinctly set forth that there had been bestowed by the King upon that agent's colony

"All that parte of our Dominions in Newe England in America, bounded on the East by Narragansett River commonly called Narragansett Bay, where the said River falleth into the Sea, and on the North by the lyne of the Massachusetts Plantation, and on the South by the Sea, and in longitude as the lyne of the Massachusetts Colony, runninge from East to West; that is to say, from the said Narragansett Bay on the East to the South Sea on the West parte with the Islands thereunto adjoyneinge"; etc.

when he (Clarke) discovered that all this had been done, he bestirred himself in earnest. He sought

<sup>1</sup> The town of Warwick, in a protest dated December 12, 1664, stated: "Letters were writt to others [than Clarke] about the time of the coming in of the King, to desire their endeavours in the behalfe of the affairs of this collony as haveing noe other to look after them in those partes" (*R. I. Col. Rec.*, vol. ii., p. 79). This is confirmed by Winthrop in a letter to Hutchinson, for he says: "Mr. Alderman Peake told me hee had Received Letters from Rood Island, with an Address Inclosed, and was desired by those Letters to Deliver ye Address, and afterwards told mee he had procured Mr. Mandrick to Deliver it" (*Arnold*, vol. i., p. 380).

out Winthrop and found him on the point of embarking for America. He prevailed upon him (either directly or by an appeal for fair play, or indirectly through the Lords of Council) to postpone his journey. The question of the conflicting territorial claims of the two colonies was then carefully taken up.

Winthrop, in compliance both with his official instructions and the urgent wish of the Atherton Land Company of Massachusetts, — a company in which he himself was interested, and one the doings of which are to be chronicled in a coming chapter, — had asked and obtained for his colony boundaries of the amplest scope.<sup>1</sup> His object in this, so far as the Atherton people were concerned, was the keeping of their lands well beyond the jurisdiction of Providence Plantations, the laws of which had been violated in the purchase of the lands from the Indians of Narragansett.<sup>2</sup> But Clarke must have convinced Winthrop that, under the Patent of 1644, the jurisdiction of the Plantations might reasonably be held to extend as far west as the

<sup>1</sup> The official instructions were to obtain a charter covering a territory extending "eastward to Plymouth line, northward to the limits of Massachusetts, and westward to the Bay of Delloway [Delaware], if it might be" (*Conn. Col. Rec.*, vol. i., p. 597). The request of the Atherton Company was thus voiced by Edward Hutchinson, William Hudson, Richard Lord, and Ambrose Richardson in a letter dated Boston, 29th September, 1661: "If you could procure the [Conn.] line to runne alonge from Conecticut by the Bays pattent til it meete with Plimoth pattent and then by plimoth pattent tile it come into Naraganset Bay and soe into the sea . . . with all the islands adjoyneing it would reach ye whole [Atherton claim]." — Arnold, vol. i., p. 379.

<sup>2</sup> Purchases from the Indians, without the consent of the State, were forbidden in 1651 and again in 1658. — *R. I. Col. Rec.*, vol. i., pp. 236, 404.

Pawcatuck River (which was approximately the eastern limit of the Pequod country), for finally (1663) Winthrop agreed to submit the matter to the decision of five arbitrators. He, however, at the same time scored a point in the company's favor by securing Clarke's consent to let it be determined by the same arbitrators, whether the company should not have the privilege of deciding to which of the two jurisdictions — that of Providence Plantations or that of Connecticut — it would be subject.

The arbitrators chosen were William Brereton, Esq., Major Robert Thomson, Captain Richard Deane, Captain John Brookhaven, and Dr. Benjamin Worsely. Brereton is described by Pepys in his diary as "a very sober, serious, able man." Later on he became Lord Brereton, and one of the members of the Royal Society, and is consequently surmised by the historian Doyle to have been on pleasant terms with Winthrop, who also afterwards became a member. Of Captain Richard Deane, we likewise know something. He was a friend of Clarke, aiding him by loans of money, and subsequently a friend of William Harris. The arbitrators rendered their decision on April 7, 1663. In it the Pawcatuck River was made the dividing line between the colonies, with the understanding that it should also be called the Narragansett River, wherever necessary in order to bring the Connecticut charter into harmony with the finding of the arbitrators. As for the Atherton Company, it was to cast in its lot either with

Providence Plantations or Connecticut, as it might prefer.<sup>1</sup>

The arbitration had been resorted to with the sanction of the Lords of Council, but as it was now concluded and the council had been duly apprised of the result, Winthrop in a short time set sail for home. No sooner, however, was he well out of the Downs than a new actor appeared upon the scene.

The Atherton Company had all along been distrustful of Winthrop. His sense of fairness and regard for right were such that they feared the effect upon him of the pretensions of Providence Plantations under the adroit advocacy of John Clarke. As late as November 18, 1662, Captain Edward Hutchinson—a leading member of the company—wrote to Winthrop from Boston :

“Wee are bold to presume you doe not consider yt what you have procured in ye charter Reaches the Whole of ye Narragansett Countrey. . . . But, however, It is necessary for avoyding Contention to yield no way to Road Island for they are not Rationall. It seems Mr. Clarke hath much abused you, but I wonder not at it, for their Principles leads them to no better.”

It accordingly was deemed advisable by Hutchinson and his associates to have, for their own particular purposes, some one near the King who would be less governed by conscientious scruples than Winthrop, and who would supplement the moderation of the latter by a little well-timed effrontery. Such

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 518.

an individual was hit upon in a member of the Atherton Company, lately admitted — John Scott.

Scott, who is described as a lusty, tall man, squint-eyed and thin-faced, was a precious scamp.<sup>1</sup> He was the intimate of base court panders like Thomas Chiffinch (also shortly to become an Atherton associate), and skilled in the use of bribes. He betook himself to London, towards the end of Winthrop's sojourn there, and at first tried to gain the countenance of that gentleman for his own peculiar methods. But, as he afterwards confessed

<sup>1</sup> Dr. Palfrey in his *Hist. of New Eng.* (vol. ii., p. 564) gives an extended *résumé* of Scott's career. The following are some of the more salient facts: Scott's father, some time subsequent to 1641, lost his life in the service of Charles I. The son made himself obnoxious to the Parliament's military leaders by cutting the bridles and girths of some of the horses quartered at Turnham Green, and was sent to America under the charge of one Downing. Here (1654) he busied himself on Long Island, making a pretence of purchasing lands from the Indians. These lands, in many instances, he sold to unsuspecting persons, and by 1660 he had involved himself and his patrons in serious complications. The same year he managed to become a member of the Atherton Land Company, and was sent to England, where he performed the service related in the text.

In Dec., 1663, he returned to America; carried on, under a commission from the Lords of Plantations, a kind of crusade against the Dutch on Long Island; got into trouble with Connecticut, and was brought to trial for "forgery," etc., and imprisoned. While his trial was pending he threatened to reveal some dark treasons on the part of Massachusetts and Connecticut, and Massachusetts evidently had fears of him. He was tried nevertheless and convicted, but broke jail and got away. He sailed for England from Barbadoes in 1665 or 1666. Upon arriving, he made known to Sir Joseph Williamson, Under Secretary to Bennett, the discovery that Sir Henry Vane had gone to New England in 1637 with two women, Mrs. Dyer and Mrs. Hutchinson, both of whom he had debauched, and both of whom were "self-delivered." In later years Pepys makes mention of one Col. John Scott, who was accusing him of popery and treason, and in 1682 rejoices over the fact that his tormentor (who had killed a London coachman and been apprehended) would probably no longer be in a position to give annoyance.

to Hutchinson, "Mr. Winthrop was very averse to my prosecuting your affaires," and there was nothing left for him but to wait. Waiting at last had its reward in the removal of the Connecticut agent's presence, and Scott set to work. He thus, on April 29, 1663, describes what he did :

"As soone as I received intelligence of his [Winthrop's] departure from ye Downes I took into the Societie a Potent Gentlement [Chiffinch] and preferred a Petition against Clarke &c as enimyes to the peace and well-being of his Majestyes good subjects and doubt not of effecting the premises in convenient tyme; and in order to accomplish your business I have bought of Mr. Edwards a parcel of curiosities to ye value of 60: to gratifye persons that are powerfull, that there may be a Letter filled with authorizing Expressions to the Colonies of the Massachusetts and Connecticut . . . viz. the Massachusetts and Connecticutt by Virtue of the saide letter, will joyntlye or severallye have full power to doe us Justice to all intents as to our Narraganset concernes."<sup>1</sup>

Nor was Scott wrong in his expectations. On June 21st, the "Letter filled with Authorizing Expressions" was issued from Whitehall. It began by reciting, that

"Whereas our good subjects Tho: Chiffinch Jno Scott John Winthrop and others [the impudence with which the names of Chiffinch and Scott are put first is worthy of remark] have in the right of Major Atherton a just propriety in the Narragansett Country by grants from the native Princes . . . they are yet dayly disturbed . . . by certaine unreasonable and turbulent sperits of Providence Collony."

The announcement was then made that "wee have thought fitt hereby effectually to recommend

<sup>1</sup> Arnold's *Hist. R. I.*, vol. i., p. 383.

the Proprietors to your [Connecticut's and Massachusetts'] neighborly kindness and protection." In conclusion were the words, "By his Majestys command, Henry Bennett."<sup>1</sup>

Closely following upon this royal missive, purchased through "the parcel of Curiosities" obtained "of Mr. Edwards," came in the regular way (July 8th) the charter for which Clarke had so long been waiting incorporating "The Governor and Company of the English Colony of Rhode Island and Providence Plantations in New England in America"<sup>2</sup>; and this document, so far from recommending the Atherton Company to the kindness and protection of Connecticut and Massachusetts, did not even accord it the option of its whereabouts, but permitted its lands to be embraced within the limits of the Rhode Island colony.

Having finished his task abroad, John Clarke—after an absence of thirteen consecutive years—prepared to return to Newport. His pecuniary resources, however, had been severely taxed and he was in some embarrassment. Indeed, his friend Captain Richard Deane held a mortgage for a considerable amount upon his Newport homestead. On being informed of the situation, the colony, on October 19, 1663, made a gallant effort to raise

<sup>1</sup> Henry Bennett, afterwards Lord Arlington, became Secretary of State, Dec. 22, 1663.

<sup>2</sup> A charter for Rhode Island was decided upon soon after the delivery of the Connecticut charter. Thus the *Journal* of the Privy Council bears the following entry under date Sept. 25, 1662: "A patent of incorporation to be granted to Rhode Island."



£100 to be sent to their agent "certainly by the first shipe that goes."

The bearer of the information regarding Clarke's straits—Captain George Baxter—was also the bearer of the new charter, and, on November 24th, the General Assembly convened at Newport ready to be entrusted with the treasure at his hands. By request of the Assembly, Baxter produced from the box the impressive parchment, authenticated by "his Majestyes Royall Stamp and broad seale," and "with much becoming gravity held it up on hygh . . . to the perfect view of the people." It was then read aloud, replaced in the box, and thus secured delivered to the Governor for preservation. The Assembly voted the thanks of the colony to the King, to Lord Clarendon his chancellor, and to John Clarke. It was further voted that the latter, in view of his services, be "saved harmless in his estate" and made the recipient of £100 in gratuity; and that a gratuity of £25 be given to Captain Baxter.

A final ceremony remained to be performed in connection with the arrival of the charter (one, moreover, shrewdly conceived), and that was to receive from the Narragansett Indians an acknowledgement of the instrument as embodying the royal acceptance of their submission to King Charles I. This submission, it will be remembered, had been proffered, in 1644, through Samuel Gorton. It had for obvious reasons altogether failed to reach the King, and, on April 4, 1662, Samuel Gorton, John Wickes, and Randall

Holden had undertaken to cure the failure by transmitting a copy to Lord Clarendon for presentation to Charles II.<sup>1</sup> Now, after nineteen years, that the original petition of the Narragansetts to one King, to be recognized as English subjects, should be answered by another King by placing the petitioners without their consent under the jurisdiction of an English colony, must have appeared to the Indians sufficiently peculiar. There consequently, perhaps was, more of irony than was perceived in the reply of the sachems Pessicus and Ninigret, formally made on November 26th to the Governor and Council of Rhode Island under the new charter, that they "most kindly thanked King Charles for his grace."

But, despite Captain Baxter's strong box, the charter itself now lies before us, and, in its more important aspects and parts, must be taken up for examination.

Its form was the one then usually employed in incorporating trading companies, and in so far it was less liberal than the Patent of 1644, which was little less than a *carte blanche* to the Narragansett settlements, in the name of the Commonwealth, to found a government. It differed scarcely at all from the Massachusetts charter in the comprehensiveness of its grants of power, and had it not been for the circumstance that it was bestowed upon

<sup>1</sup> The original letter accompanying the copy is now in the John Carter Brown Library at Providence. It contains a full statement of the Warwick grievances against Massachusetts. The handwriting is that of Samuel Gorton.

individuals who were a *de facto* colony already (whereby its scope and meaning were largely predetermined), it would have been open to something of the same criticism, as a constitution of civil government, as was the famous charter of the Bay.<sup>1</sup>

As previously pointed out, Soul Liberty or Freedom of Conscience was the novel feature of the instrument, and this (inserted by request though it were) was in the nature of a limitation upon the authority of the colony, for under it "noe person within the sayd Colonye was to bee any wise molested punished disquieted or called in question for any differences in opinione in matters of religion, and doe not actually disturbed the civill peace." The limitation, by virtue of its novelty, must somewhat have exercised the minds of the royal advisers—particularly the mind of Clarendon<sup>2</sup>—

<sup>1</sup> It has been pointed out by Mr. Brooks Adams (*Emancipation of Mass.*, p. 22) that the Massachusetts charter was lacking as a civil constitution in at least five particulars. It contained no provision for superior or probate courts, for a representative assembly, for the incorporation of counties and towns, for police, or for taxation. It, however, should be noted that its grants, while not specific as to many things, were by their terms so comprehensive as (judged by the instrument alone) fairly to include these things. What makes it clear that the Massachusetts charter was meant for a trading company rather than a colony is the fact that similar charters were held by corporations in England operating at remote points, corporations that were undeniably strictly commercial. In other words, in construing the language of the charter it was necessary to bring its generalities to the touchstone of earlier and contemporaneous interpretations of like charters. Even the Rhode Island charter, while more specific regarding courts, a representative assembly, new towns, and police, left the power and limits of taxation (a power questioned by the church of Watertown under the Massachusetts charter) to inference and implication.

<sup>2</sup> Roger Williams, writing to Major Mason (*Narr. Club Pub.*, vol. vi., p. 346), says: "This his Majesty's grant was startled at by his Majesty's high

before it was approved. It came within the purview of the Declaration of Breda, but Parliament had already signified to the King that he need not be particular about observing that declaration, and, so far as England itself was concerned, Freedom of Conscience had been lost in the Act of Uniformity. Still there existed one strong reason for trying Clarke's "livelie experiment" in Rhode Island, and that was, that with this colony countenancing Episcopalian as well as Puritan consciences, it would be rendered more difficult for the

officers of state, who were to view it in course before the sealing, but, fearing the lion's roaring, they couched against their wills, in obedience to his Majesty's pleasure." The charter itself also reveals some misgivings in the words: "and for that the same [the grant of Freedom of Conscience], by reason of the remote distances of those places, will (as wee hope) bee noe breach of the unitie and unifformitie established in this nation."

It is pleasing to know that, just as the charter was about to be issued and Freedom of Conscience to be recognized as the fundamental law of the colony, there was at least one citizen of Providence, besides Roger Williams, who put this freedom above all other considerations. In April, 1663, George Sheppard, of whom nothing in particular, I believe, is known, wrote thus to the town authorities: "Loving friends and neighbors—I make bold to declare myself in way of satisfaction to those offended for my not acting in your town-meetings. [He then speaks of bodily infirmities as incapacitating him, and refers to an act of the town 'disvoting' him, as for the best.] For what land you were pleased to bestow upon me, I am bound to thank you for your free love therein, but be pleased to know that it was not for land that I came hither, but the enjoying of my conscience; therefore if any be offended at the quantity of that gift and also of my acceptance, being advised thereto by friends, I do most willingly surrender it unto you again, desiring that you would be pleased, if it might be inoffensive, to bestow upon me a smaller quantity . . . otherwise you will expose me to think upon a removal where I may enjoy my freedom; but I hope you will take my condition into your serious consideration, that I may partake of that liberty which out of your tender care to consciences you do hold forth."—Staples' "Annals," *R. I. Hist. Coll.*, vol. v., p. 133.

rigid and intolerant Bay to maintain its own exclusiveness and all but political separation and independence.

Next in importance to the provisions regarding Soul Liberty in the new charter were those relating to territorial limits. In accordance with the award of the arbitrators, under the agreement between Clarke and Winthrop, the western boundary was made to consist in the channel line of the Pawcatuck River to the river's source, and thence a line due north to the Massachusetts line. At the same time, it was provided that the "sayd Pawcatuck river shall be alsoe called alias Narragansett river; and forever hereafter shall bee construed deemed and taken to bee the Narragansett river in our late grannt to Connecticutt Colony mentioned as the easterly bounds of that Collony." The other boundaries were: on the north, the south line of Massachusetts extended eastwardly "three English miles to the east and north-east of the most eastern and north-eastern parts of Narragansett Bay"; on the east, the eastern shore of Narragansett Bay and of the Seekonk River to Pawtucket Falls, and thence a line due north to the Massachusetts line; and on the south, the ocean.<sup>2</sup> The charter also assigned to Rhode Island the island of Rhode

<sup>1</sup> "His [Clarendon's] aims were to enforce on the New England merchants the Acts . . . for the control of the shipping trade, to secure for members of the Church of England civil rights equal to those enjoyed by non-conformists and . . . to give in certain cases a right of appeal to the Crown. On all these points the chief difficulty would lie in dealing with Massachusetts. It was therefore of importance to detach that Colony," etc.—Doyle's *Eng. Col's. in Am.*, vol. iii., p. 117.

<sup>2</sup> See map at Chapter XV.

Island, Block Island, "and all the rest of the islands and banks in the Narragansett Bay, and bordering upon the coast, Fisher's Island only excepted." The singular award, under the Clarke-Winthrop agreement, that the Atherton Company should be permitted to decide for itself to which of the two jurisdictions, Rhode Island or Connecticut, its lands should be subject, was omitted from the charter altogether.

The changes which the Charter of 1663 made in the legislative, executive, and judicial institutions of Providence Plantations were not marked. A Governor and Deputy Governor were substituted for the President, and the number of Assistants or magistrates was increased from four to ten. The charter itself named the first Governor and Deputy (Benedict Arnold and William Brenton), and the first ten Assistants:—William Baulston, John Porter, Roger Williams, Thomas Olney, John Smith, John Greene, John Coggeshall, James Barker, William Field, and Joseph Clarke. There also was named a company of twenty-six freemen, among whom were William Coddington, Samuel Gorton, Gregory Dexter, and Randall Holden. Authority was given to the Governor, or Deputy Governor, to summon the whole body of freemen upon occasion, but it was specifically provided that the General Assembly of the colony was to consist in the Governor, or his Deputy, and the Assistants, together with not to exceed six deputies from Newport, four from each of the towns,

Providence, Portsmouth, and Warwick, and two from any other place, town, or city.

The deputies from each town were to be chosen by the freemen of the town, and the General Assembly was to hold two regular sessions a year, the first on the first Wednesday in May, and the second on the last Wednesday in October. It was provided that the Governor, or his Deputy, and six Assistants should constitute a quorum of the Assembly, and that the latter should have the power to admit from time to time additional freemen to the company; to elect officers; to "make, ordeyne, constitute or repeal lawes, statutes, orders, etc. . . . soe as such lawes, etc. soe made be not contrary and repugnant unto, butt, as neare as may bee agreeable to the lawes of the realme of England, considering the nature and constitutione of the place and people"; to "erect and settle . . . Courts of jurisdiction"; to "contrive and apoynt formes of oaths"<sup>1</sup>; to prescribe the limits of new towns<sup>2</sup>; to "order and authorize the imposing of fines, imprisonments, and other punishments, according to the course of other corporations within the Kingdom of England"; to grant pardons; and to regulate the making of purchases from the Indians. It was further provided that

<sup>1</sup> Action under this provision was taken March, 1666 (*R. I. Col. Rec.*, vol. ii., p. 141).

<sup>2</sup> In April, 1672, a committee of four was appointed to go to Narragansett and "take a view of such places . . . that are fitt for plantations." Claimants or settlers (Indians and English) were to appear on May 1st and receive such compensation as the Assembly should adjudge proper (*Ibid.*, p. 442). The act appointing this committee was repealed in May.—*Ibid.*, p. 457.

the Governor and other chief officers should be chosen annually in May, and that the General Assembly should have power to remove officers for cause and to choose their successors.

Special clauses of the charter, moreover, were devoted to defining the tenure of the company's lands (free and common socage), to providing for the training of the militia, for the encouragement of the whale fishery, and for the cultivating of the grape; while the course of Massachusetts in assuming habitually toward its small neighbor an attitude of coercion, and in, at times, actually denying to the inhabitants access to its markets and ports, was condemned as follows: "Itt shall be lawfull for the said inhabitants, without let or molestation to passe and repasse with freedome into and through the rest of the English Collonies . . . and to converse and hold commerce and trade with such of the inhabitants of our other English Collonies as shall bee willing to admit them thereunto." To the whole instrument a finishing touch was given in the provision, that "in all matters of publique controversy between Rhode Island and the other New England Colonies itt shall bee lawful for the Governor and Company to make their appeales therein to the King."

The royal charter, in the mere fact that it was royal, undoubtedly exerted a strong unifying influence. By virtue of it the Narragansett settlements became a colony in the old and constitutional way, and hence, as such, more an object of respect and pride on the part of the people. This



comes out clearly in the practice at once instituted of holding legislative sessions only at Newport,<sup>1</sup> and in several acts in 1664, passed at the March and October sessions of the General Assembly.

It was ordered, for instance, in March, that "whereas there are severall lawes extant amongst our former lawes inconsistent with the present Government, as houlding Courts of Commistions, and repealing of the acts of the Generall Assemblies by votings in town meetings . . . all such lawes be declared null and voyd." By this order the old separatism arising from the organization of the Assembly as a diet of States, rather than as a sovereign legislature, was in a measure at least done away with. Then again, at the March session, orders were made assigning to the towns a relative rank, and adopting a "Seale with the mottoe Rhod Iland and Providence plantations and the word Hope over the head of the Anker," as in the original seal; while, at the October session, there were enacted orders requiring the "patentt" to be read at each meeting of the Assembly, and deferring, for mature consideration, a motion "whether the magistrates shall sett by themselves and the deputies by themselves" in the new and approved commonwealth.<sup>2</sup>

<sup>1</sup> This practice was seriously objected to by Warwick. The town soon petitioned against the sitting of the General Courts exclusively at Newport. Again, on May 4, 1673, Warwick petitioned for a return to the old plan of holding the Courts in the several towns in turn.—*Extracts from War. Rec., R. I. Hist. Soc.*

<sup>2</sup> This action would seem to have been taken upon the petition of the town of Warwick that "the deputies of all the Townes may meet and site together and choose their speaker as a distinct house." (*Extracts from*

The acts and orders of 1664 thus far dwelt upon were those affecting the legislature and the executive. Others were passed affecting the judiciary. Two sessions of the General Court of Trials were required to be held in each year, one in May and one in October, and both were to be at Newport. Provision was also made for a special court to be held at Newport "as urgent occasion shall present," for "marchants and seaman." Moreover, a special local court of three Assistants, with jurisdiction to the amount of ten pounds, was created for Providence and Warwick. Sessions were to be held twice a year, one in September at Providence, and the other in March at Warwick, and were to be presided over by the senior Assistant of the town where held.

Attendance by the magistrates upon the various courts of trial—as also indeed upon the legislature and council—proved to be very irregular. In consequence, it was provided in 1666, that officers should be paid, each, three shillings a day; that delinquents should be fined six shillings a day; and that, in a case of failure of a quorum, delinquents were to be subject to a special penalty of five pounds. It is worthy of remark, that in the general organization of the judiciary there is again

*War. Rec.*, p. 7). Portsmouth preferred a similar request in 1665, and in March, 1666, an order creating the deputies a separate house was passed. But in September, 1666, the magistrates and deputies were ordered to sit together as formerly, and the subject of two houses was referred to the Assembly to convene in October. The October Assembly repealed the act of March, 1666, but, as shown by action taken in May, 1668, the deputies were at liberty thereafter to withdraw for separate consultation. *R. I. Col. Rec.*, vol. ii., pp. 63, 124, 144, 151, 181, 223.

manifest that unifying or centralizing tendency already mentioned as coming into existence under the charter. The colony Court, a fixture at Newport, sits ungraced by the presence of the magistrates of the towns, and where formerly the town courts entertained original jurisdiction, now to a considerable extent that jurisdiction is assumed by the Court of the colony.<sup>3</sup>

<sup>3</sup>It is worthy of note that, in 1669, persons indicted under the laws of Rhode Island were permitted the aid of an attorney in making their defence (*R. I. Col. Rec.*, vol. ii., p. 239). On the practice of the English courts in this regard, see p. 49 of vol. i. of the text; and on that prescribed in Rhode Island under the Patent of 1644, see the text, vol. i., p. 253.

The most remarkable case to come before the Rhode Island courts, during the period covered by the present chapter, was that arising from the indictment of Thomas Cornell of Portsmouth for the murder of his mother. Judge Thomas Durfee has given a detailed account of the trial in his "Gleanings from the Judicial History of R. I." (*Rider's Hist. Tract No. 18*, p. 142 *et seq.*), and it is from this that the following statement is compiled.

In February, 1673, Thomas Cornell was living on his Portsmouth farm with his family, consisting of himself, his wife, his two sons, his mother—a widow seventy-three years old—and two laborers. On February 8th the mother was found dead on the floor of her room, her clothes burnt and her body scorched. A coroner's jury returned a verdict of death by accident of fire. Later, however, a wound was discovered in the stomach of the victim, and suspicion of foul play fastened upon the son Thomas. The latter accordingly was arrested, bound over to the Court of Trials, and at the May session tried.

The theory advanced by the prosecution was that the accused, who confessed to have spent an hour and a half with his mother late in the afternoon of the day of her death, had killed her and then set fire to her clothing; a motive for the deed being discovered in the fact that there had been trouble between mother and son over a debt due by the son to the mother. This theory necessitated the belief that Cornell, in order to disarm suspicion, had been content to hazard the burning of his house, for it was in evidence that when the body was found the clothing was still on fire. On the other hand, the theory of the defence was that the mother's clothing had ignited from a coal from her pipe as she sat smoking in her chair, and hence her death. It was all a matter of circumstantial evidence, but the verdict was against the accused, and he was hanged Friday, May 23, 1673. As Judge Durfee suggests, there seems to have existed a lingering doubt in

Another task of the year 1664 was the erecting of a government for Block Island. This island, it will be remembered, was brought to our notice in Chapter III. in the narrative of the Pequod War. It was occupied by a branch of the Nyantic Indians, and these, after the Oldham difficulty, paid a regular tribute to Massachusetts. At length, on October 19, 1658, the island was granted by the Bay to Governor John Endicott, Richard Bellingham, Daniel Denison, and William Hawthorne, as a reward for public services, and two years later was sold by them for £400 to a company of sixteen, headed by Dr. John Alcock, a Harvard graduate, and of which Thomas Terry and Simon Ray were prominent members. These gentlemen, in September, 1661, sent a surveyor to the island to apportion the lands,—one portion to be for the maintenance of a minister,—and somewhat later, perhaps in the spring of 1662, went thither themselves. On March 8, 1662–63, Dr. John Alcock, Thomas Terry, and two others bought the Indian title to the entire island, and the same year James Sands of Providence Plantations joined the settlement. Sands had been a resident of Portsmouth and a disciple of Anne Hutchinson. Indeed, the fervency of his discipleship had been such that he had followed his preceptress to East Chester, New York, where he aided in building for her a house.

the colony regarding the guilt of Thomas Cornell, for immediately after the execution the General Assembly ordered the testimony in the case to be copied at length into the "Book of Tryalls."—*R. I. Col. Rec.*, vol. ii., pp. 485, 486, 487.

But, harassed by the Indians, he, wiser than his preceptress, returned to Portsmouth, and going thence to Taunton became interested in the Block Island colonization project.

As early as March, 1664, the inhabitants of Block Island were notified that henceforth they were to be under the Rhode Island charter. James Sands was to act as constable, and "the most able and deserving men" were to appear in May and "be free made of the Collony." The island was empowered to send two deputies to the General Assembly, and was furnished with "a transcript of our body of lawes." Furthermore, — and no doubt because of the fact that Block Island had been a dependency of Massachusetts, — the inhabitants were particularly notified that "noe person within the sayd Collony of Rhode Island, at any time after the grant of the present Charter," is to be "in any wayes molested, etc. for any difference of opinion in matters of religion." The government, as thus organized, was allowed to stand till 1672, when, on November 6th, the island was created a town, and its name as a political division changed to New Shoreham.

In much of the work of construing the Charter of 1663, and setting it in operation, Rhode Island had the active aid of John Clarke — himself chiefly the author of the instrument — for, in June, 1664, he had returned home. Nor did he ever afterwards spend any long time away from the colony. For twelve years he dwelt among his fellows, held

always in honor, and well-nigh always employed in the service of the State. It will be my aim, therefore, in the remaining pages of this chapter to take account of these twelve years, in so far as they are not covered elsewhere in the text; knowing that, in the illustration which they afford of Clarke's career, they afford equally an illustration of the course of public events.

The principal features of the period given are four: the visit to New England of the royal commissioners, — Colonel Richard Nicolls, Sir Robert Carr, Colonel George Cartwright, and Mr. Samuel Maverick; military preparations by Rhode Island against foreign foes; a fresh outbreak of discord in the town of Providence, and continuous trouble in all the towns in collecting rates.

As for the commissioners, their objects in the main were to secure through the lesser colonies a hold upon Massachusetts, and to effect the conquest of New Netherlands. Secondly, they were instructed to attend to such matters as the composing of intercolonial boundary disputes, and the redressing of wrongs to the Indians. Moreover, so far as Rhode Island alone was concerned, these agents, by January 1, 1666, had finished their labors and prepared their official report.<sup>1</sup> They

<sup>1</sup> At the request of the royal commissioners, Rhode Island passed an act permitting all men of "competent estates" to be freemen. Thus was established the requirement for a property, though not necessarily a land, qualification for voters. It was the statement of the commissioners that in Rhode Island, at the time of their visit, all were admitted to be freemen who desired it. Evidently by 1665 to be a freeman of the colony did

complimented the colony on its "demonstrations of loyalty and obedience"; on its willingness that "appeales should be made to his Majestie's Commissioners"; on its full recognition of the King in "all proceedings in justice"; and on its maintenance of "liberty of conscience and worship." Indeed, so highly flattering was the report throughout, that his Majesty, on April 10, 1666, sent to the Governor and Council these words of special commendation: "Having received soe full and satisfactory account from our Commissioners both of the good reception you have given them and also of your dutifulness and obedience to us, we cannot but let you know how much wee are pleased therewith. . . . Your carriage doth . . . most justly deserve our praise." And yet, at the very time the report which elicited for the colony the royal approbation was being written (December, 1665), Sir Robert Carr was thus unbosoming himself to Lord Lauderdale: "Rhode Island Colony is so full of faction and so void of men fit to govern;—for there is besides the Governor and Deputy Governor (between whom, to my knowledge, there is a great feud) not one fit to make a Governor of."<sup>1</sup> When penning the foregoing, Sir Robert had probably for the moment lost sight of Dr. John Clarke, the procurer of the charter.

Military affairs, the second prominent feature of

not imply membership in the proprietary class in some town. The towns as such—as close corporations—therefore were of less importance than formerly, for political power was no longer centred in them; it had passed to the colony.—*R. I. Col. Rec.* vol. ii., p. 113.

<sup>1</sup> *Proc. Mass. Hist. Soc.* (1858–60), p. 274.

the twelve years now under consideration, formed a field of activity in which John Clarke was only less concerned than in the field of politics.

On August 29, 1664, New Amsterdam was captured by a fleet under Colonel Richard Nicolls. This was the prelude of a new war with Holland, and on March 4, 1665, war was formally declared by Parliament. Down to January, 1666, the contest maintained the form of a struggle for naval supremacy in the English Channel, and New England gave it no particular attention; but in January of the year named Holland was reinforced by France, and the aspect of affairs grew more serious. Especially was this true by May, 1667, for by that time Colonel Nicolls had been instructed to organize an expedition against New France, and the French were making incursions into the territory of the Mohawk Indians with purposes which could only be surmised. Here, then, was an occasion for putting the military power of the colony in readiness for service, and William Brenton, who had succeeded Benedict Arnold in the governorship in May, 1666, was strongly seconded by the Assembly in the onerous task.

Meanwhile, in the gigantic naval struggle proceeding in the Channel, the name of DeRuyter—the doughty Dutch Admiral twice victorious over Monk—was beginning to inspire a wholesome respect, not to say dread, as far from the scene of his exploits as Narragansett Bay. “Voated,” is the language of the General Assembly specially convened on July 2, 1667, . . . “we are . . .



very much alarmed by the common enemy as if he were even at our doors."

"And for as much as the aime of our adversary will in all probability be at the Island which if taken and possest by them (which God forbid) would prove extremely hazardous if not utterly ruinous . . . to the whole country, .

. . it is enacted that it shall be in the power of the Governor and Councils of the Island to raise a troope of horse, . . . to press vessells, . . . to furnish a publick magazine, . . . to treat with the neighbour Collonys in order to procure a friendly correspondancy, . . . to cause the beacon upon Wanomitonimo Hill to be fired which shall be the directory to the rest of the beacons to be forthwith fired throughout the whole Collony.

On August 10th, the task of raising a troop of horse for the Island would seem to have been achieved, for on that date Mr. Peleg Sanford was commissioned captain of such a company, and Mr. John Almy, lieutenant, and nineteen signed the muster roll. But already ere this, July 25th, the treaty of Breda had been signed, and the gallant troopers of Rhode Island had organized in vain.

In May, 1669,—and because no doubt of a feeling that strong hands were needed at the helm of State,—Benedict Arnold was again chosen Governor, and John Clarke was made his Deputy. Three years later England declared war against the United Netherlands. The causes of this war were two : the ambition of Louis XIV. (involving the annexation of the Netherlands) to push the frontiers of France to the Rhine, and the ambition of Charles II. to strengthen his prerogative and foster English Catholicism. Neither ambition

could be gratified solely by its own possessor. Louis needed the fleets and sea dogs of England to checkmate Holland, and Charles needed still more the money and armies of France to keep a Stuart and a Catholic on the throne.

It was on the 17th of June that the King's declaration of war was received by Rhode Island, and arrangements were at once made for its publication at Newport, in Narragansett, at Portsmouth, Warwick, and Providence. Letters were sent to Massachusetts, Plymouth, and Connecticut, regarding co-operation, but in general little was done until August 13th, when news came of the recapture, on July 30th, of New Amsterdam (christened New York under the English) by a Dutch fleet of twenty-three ships bearing sixteen hundred men. At this crisis, the executive council, apprehensive lest "the Dutch forces may unhappily assault and fall upon us," took action both prompt and comprehensive. Among other things, it ordered that soldiers losing their limbs, and the relatives of soldiers who should be killed "in battle array," should be awarded pensions. "But forasmuch," the order proceeds, "as too often faithful service is forgott and the slaine being burried goe soe to the land of forgitfullness, that their relations are noe more remembered to be supplied . . . it is enacted that any proper person . . . may demand of the Generall Treasurer a competent supply."

But while speaking in the above Tyrtæan strain, it is evident that the council was not in its intentions wholly warlike. Soul Liberty, as shown

in the last chapter, had been the means of giving domicile in Rhode Island to that curious product of the times—the Quakers. These had grown in numbers, as well by accessions from the Newport Antinomians as by recruits drawn from the other colonies, until upon the Island they were a strong element, including such men as William Coddington and the present Governor, Nicholas Easton. Quakers, as such, are of course conscientiously opposed to war, hence we are not surprised to find connected with the council's edicts concerning blood and pensions, an elaborate pronouncement exempting (out of respect for Liberty of Conscience<sup>1</sup>) all Quakers from bearing arms. The pronouncement was long and explanatory to the point of apology, as indeed it well might be, for it pressed the doctrine of Soul Liberty to an extreme. Heretofore in the colony the jurisdiction of conscience had been limited to matters not affecting the civil order and security; but under the pronouncement this jurisdiction was so far enlarged

<sup>1</sup> The fear at times expressed by the General Assembly, lest Freedom of Conscience should be trenched upon by some act or order, is amusing. Thus in Sept., 1673, the following law was passed for the observance of Sunday: "Although wee know by man not any can be forced to worship God or for to keep holy or not to keep holy any day; but forasmuch as the first dayes of weeks it is usuall [to forbear ordinary work] and [forasmuch as some spend Sunday] in debaistness or tipplinge and unlawfull games and wantonness . . . therefore this assembly not to oppose or propogate any worship but as by preventinge debaistness, etc. doth enact [various fines for disorderly conduct]." One purpose of the act, it is explained, is that "all modest assemblys may not be interrupted; especially all such that profess they meet in the worshipp of God, if some of them will be most false worshippers they should only be strove against therefore with spiritual weapons."—*R. I. Col. Rec.*, vol. ii., pp. 503, 504.

that the very life of the colony might perish through conscience.

Moreover, if there was to be a sanctioning of the attitude of such as could not conscientiously defend the existence of the State by arms, why should there not also be of such—and they were by no means few—who could not conscientiously support the State's existence by taxes?<sup>1</sup> In short, there was in this concession to the Quakers something like a tacit recognition of William Harris's openly repudiated thesis, that "he that can say it is his conscience, ought not to yield subjection to any human order amongst men." But, as in 1667, so now, the dreaded Dutchmen failed to appear off Newport, and England and the Netherlands having by 1674 made peace, the question of "arms and the Quaker" suffered a postponement till the breaking out of the contest with King Philip—a contest which will engage our attention in the next chapter.

Dismissing at this point, therefore, the military affairs that marked the twelve latter years of John Clarke's life, we come to the Providence disturbances, and to the difficulties of the colony government, at times culminating in disturbances, attending the gathering of the rates. Providence in 1667 (as will be made fully to appear in Chapter XIV.) was rent by dissensions between the followers of

<sup>1</sup> Gregory Dexter pleaded conscientious scruples when William Harris "strained for the rate" to pay John Clarke,—a plea which drew from Roger Williams the remark that Dexter made a fool of his conscience. —*Narr. Club Pub.*, vol. vi., p. 328.

William Harris and those of Roger Williams over the Pawtuxet lands. In May, 1669, the feud was as hot as ever, and the General Assembly voted that "Mr. John Clarke be requested to write to the inhabitants to persuade them to a peaceable composure of that uncomfortable difference that is between them." Whether or not Clarke did write is unrecorded; but the trouble continuing, and this to such a degree that (through contesting delegations) the town was without representation in the Assembly of October, 1669, that body despatched a committee of five, headed by John Easton, to persuade the Providence freemen to "a loving composure by arbitration." The outcome evidently was disappointing, for at the adjourned session (held in March instead of February, 1669-70) two government agents, John Easton and Joshua Coggeshall, were appointed to go to Providence, call a meeting of the town, and superintend the choice both of local officers and of deputies to attend the General Assembly "that is to sit in May." This course had a salutary effect, for when May came the deputies were at hand.

Difficulties over rates were perennial in Rhode Island, but those of the period now being considered were unusually formidable and persistent. They arose out of the debt incurred by John Clarke in procuring the charter. Promptly on Clarke's return in 1664, a committee was named to audit his accounts, and the report made was that there was due him from the colony £343 5s. 6d., whereof £101 5s. 6d. was to be paid in England. The

Assembly thereupon, for the purpose of liquidating this and other indebtedness, levied a rate of £600. The levy was unpopular, and payment was more or less evaded and resisted, particularly at Warwick. This town, indeed, in December filed with the Governor a formal protest against the rate, alleging that the levy was made in the unavoidable absence of the Warwick deputies ; that Clarke was not sent abroad as the agent of the Mainland but only of the Island ; and that anyway consideration should be shown for Warwick, because of aid freely given to the whole colony by Samuel Gorton, Randall Holden, and John Greene, when in London, in defeating the Narragansett Patent.

In the extremity thus created, Roger Williams took matters in hand, and on January 1, 1666, wrote to the town one of his forcible papers. He said :

“Worthy Friends it is Easy to find Cloaks and Coulours for Denyalls or Delays to any Business we have no mind to. I have visited most of my neighbors at Providence this winter: Some say they are sorry and ashamed of the Delay. . . . Some few say they have done it: Some say they will pay if all doe. . . . Some say let those that sent Mr. Clarke into Engl. at first pay him: And some say other things, but none say ought (in my judgment) which answers the witness of Common Honesty. . . . It is no more honest for us to withdraw in this case then for men to come to an Ordinary and to call for the best wine and Liquors, the best Meats Roast and bakt the best attendance &c. and to be able to pay for all and yet most unworthily steale away and not discharge the Reckoning. Shall we say we are Christians yea but ingenious or just men, to ride securely (in a troublous sea and time) by a new Cable and Anckor of Mr. Clarks procuring, and be so far from satisfying his engagement about them, that we turne him

adrift to languish and sinck, with his Back broke for putting under his shoulder to ease us."<sup>1</sup>

But in spite of Williams and the General Assembly, very few in the colony paid their share of the £600 rate, and by September, 1666, there was every prospect that John Clarke would lose his Newport homestead under the mortgage held by Richard Deane. The Assembly therefore passed an act, assuming the mortgage in the name of the colony, and instructing a grand committee, led by the redoubtable William Harris, to collect at once, and at all hazards, enough to pay Deane, to whom bills of exchange, seasoned by a humble apology for delay, were to be conveyed by Mr. Norton Westrow "now goeing to England." Something no doubt was accomplished by the Harris committee, but by 1670, notwithstanding constant urging and threatening in the meantime, there still remained £80 of the English debt unpaid, and in May Harris moved for the designation of "some to persuade to a present contribution on the Collony's account to pay Mr. Richard Deane." In June, 1670, as a result of Harris's motion, the necessary contribution was begun, but by October it still remained incomplete.

As for the part of the £600 due to Clarke personally, he got very little of it. As late as September, 1673, he made a demand for £450 in settlement, but the Assembly (now a Quaker body) expressed surprise "consideringe that the said Mr. Clarke hath received already a great sum, and the said Mr. Clarke showing that he had occasions of

<sup>1</sup> *R. I. Hist. Soc. Pub.*, n. s., vol. viii., p. 147.

his to goe for England which was not the Collony's business." After his death his executors presented a claim for £100. This likewise was caviled at, and the matter was allowed to stand till October, 1678, when a committee was appointed to consider it further. Meanwhile the executors brought suit for £500, but with no other result than to be denied every part of their demand.<sup>1</sup>

John Clarke, besides his employment in and after 1664 in connection with the visit of the royal commissioners, in connection with military affairs, and in connection with the Providence disturbances, and the collection of the money due to him from the commonwealth, was employed in a great variety of special tasks and missions. In 1664 he was made head of the commission to bring the laws of the colony into harmony with the new charter, and in 1666 he was solely entrusted with the important work of codifying the laws. Likewise in 1666 he assisted the government in preparing a memorial to the King and one to Lord Clarendon, to be conveyed to England by Colonel George Cartwright on his return with the report of the royal agents.<sup>2</sup> These documents were devoted chiefly to the question of the Plymouth line, and to

<sup>1</sup> "This result," observes Judge Thomas Durfee, "is unacceptable to the modern mind. The services of Dr. Clarke were so immense, his character was so exalted, and his fame is so dear to us that we should have been delighted to learn that the State had never haggled with him, but that in the fulness of its confidence and gratitude it had hastened to satisfy his moderate demand without question."—Rider's *Hist. Tract No. 18*, p. 125.

<sup>2</sup> Cartwright, with all his papers, was taken captive by a Dutch cruiser on his return voyage. He set sail August 3, 1665.



a plea for a more complete incorporation of the Narragansett country into the colony, but other matters were touched upon. Clarendon, for instance, was asked to become the recipient, from grateful Rhode Island, of one thousand acres of land; and help was solicited toward the "fortification" of Narragansett Bay, with its "harbours most safe for the biggest ships that ever sayled the sea," and which "in the hardest winters when the *Massachusetts* and other . . . are fast locked up with strong doares of ice is always open." Then again, in 1670, 1671, and 1672, Clarke was appointed agent to England for the purpose of vindicating the charter against, and redeeming it from, the "violations" of Connecticut.

John Clarke, however, never made a second visit to England. The last time he is mentioned in the records of the colony is on April 4, 1676, when, upon the eve of King Philip's War, his name appears along with the names of Benedict Arnold, Obadiah Holmes, Gregory Dexter, Randall Holden, and others, as among those — "the most judicious inhabitants of the colony"<sup>1</sup> — from whom advice was desired by the government as to what course should be taken in "these troublesome times and straites." Before the end of the month (April 20th) he was dead, having survived his fellow-statesman of New England and generous rival, John Winthrop, Jr., by only fifteen days.

<sup>1</sup> Roger Williams is not among those here named as "the most judicious inhabitants," but this is not strange. It was a Quaker government that did the naming, and to the Quakers Williams was *persona non grata*.

**The Arm of Rhode Island Paralyzed by Po-  
litical Individualism in Time of Peril  
from the Indians**



## CHAPTER XIII

### KING PHILIP'S WAR

1675—the year of the outbreak of the war in question—affords a convenient point at which to glance in *résumé* at the material and political conditions of Rhode Island since 1650.

Providence and Newport had both grown in population, but Newport more than Providence. It is estimated by Callender that in 1659 the population of the whole colony did not exceed two hundred families,—that is, eight hundred or one thousand persons,—and by 1675, as stated by William Harris (an excellent authority), Providence alone had reached five hundred.<sup>1</sup> Harris, moreover, puts the population of Warwick, at this time, at one third that of Providence. The Mainland, therefore, was occupied in all by about eight or nine hundred souls. As for the Island, it is probable that Portsmouth did not fall in numbers much below Providence,—having, we are told, two hundred houses; and that Newport was at least twice the size of Portsmouth, for here the aggregate of

<sup>1</sup> "Plea of the Pawtuxet Purchasers," *R. I. Hist. Soc. Pub.*, n. s., vol. i., p. 192.

houses was four hundred.<sup>1</sup> If these figures and estimates be approximately correct, the colony now (1675) possessed a population of twenty-five hundred or three thousand.<sup>2</sup> As in 1650, arts and trades and public improvements were backward in Providence and progressive in Newport. In 1654, at Providence, the establishment of iron works had been proposed by a visiting Englishman (Mr. Foot) and the scheme was favored by Roger Williams, but it came to naught.<sup>3</sup> The next year Williams wrote to John Winthrop, Jr., concerning a certain Mr. White "now wintering in Warwick," probably an engineer, whom it was desired to employ in erecting a bridge at Weybosset Ford; but the weather hindered, and it was not until 1660 that this convenience, connecting the town street with the Pequod trail to the southward, was secured.

The prosperity of Newport by 1675 had begun to show itself in an improved architecture. The pioneer or end-chimney type of house, described in the account of early Providence in Chapter IV.,

<sup>1</sup> Egerton MS. 2395, f. 70, *Mag. Am. Hist.*, vol. viii., p. 851. In 1680 Peleg Sanford reports Newport as possessing 500 planters and 500 men besides.—J. Carter Brown Coll. *Brit. State Papers*.

<sup>2</sup> This estimate agrees fairly well with that of Judge Thomas Durfee (Palfrey's *New Eng.*, vol. ii., p. 570). In 1678, Sir Edmund Andros reported the population of R. I., by "hearsay," as about 1200; and in 1671, Sir Robert Carr reported the number of men able to bear arms as 1000, perhaps an exaggeration.

<sup>3</sup> "Mr. Foot is said (at present) to resolve for the Dutch: upon occasion of my declaring against his man Mr. Fowler's disorderly marriage in Mr. Foot's house, without any publication, and upon that occasion my refusing to promote the Iron Works as yet; he is displeased and speaks of departure. I truly love and pity the man, yet surely from him have the Indians been furnished with store of liquors, from his house have the incivilities of our town been much encouraged," etc.

was now giving place to the central-chimney or Connecticut type. This type—at least in the more pretentious specimens—was built with a second story projecting beyond the first, and, by reason of the central chimney, with either two or four rooms on each of its floors. Between 1665 and 1670, according to Mr. Stephen Gould of Newport, William Coddington had erected his celebrated mansion of the Connecticut type on Marlborough Street, a structure not dismantled till 1835,<sup>1</sup> and here the retired merchant, statesman, and pretender—his starched ruff, his sword, and his ambition all pretty thoroughly abandoned for the plainness and serenity of the Quaker—dispensed hospitality to personages as widely divergent in humor as George Fox of the leather breeches and Richard Bellingham, Governor of Massachusetts.

Then, too, by this time, in all probability, the Old Stone Mill had been built by Governor Benedict Arnold on his Newport land overlooking the bay<sup>2</sup>; its graceful arches and wide-sweeping

<sup>1</sup> Mr. Gould, during the process of dismantling, went all through the house. The chimneys he describes as very wide and high, "in which were small ones built, and in one instance a second and third contraction." "Had I been a poet," continues the writer, "I could have wrought up my mind to no inconsiderable fancy." "For many, very many years, it [the house] was inhabited by those who were remarkable for their religion and were very honorable in the world, but for the last thirty or forty years those who were its dignified inmates have disappeared, and it has been inhabited by the lower orders of society."—Letter to John Howland, Dec. 13, 1835, R. I. Hist. Soc. MSS.

<sup>2</sup> The theory of the Norse origin of the Old Stone Mill has long been exploded. Benedict Arnold makes repeated and distinct allusions in his last will to the structure as built by himself.

arms serving to recall to the veteran Governor that other stone mill, the admiration of his youth, at Chesterton, England, which tradition ascribes to the genius of Inigo Jones. But Newport prosperity did not stop here. Commerce—the small beginnings of which, in and about 1650, have already been noted—had been steadily growing. The trade with the West Indies, particularly with Barbadoes, was now very considerable. The leading article of export was horses, which William Harris asserts to have been so plentiful “that men know not what to do with them,”<sup>1</sup> and which were carried to their destination in ships belonging to Rhode Island.<sup>2</sup> Sheep-raising had also attained great proportions. In 1665 the royal commissioners reported to the King that the Island had “the best English grasse, and most Sheepe . . . ewes bringing ordinarily two lambs”; and in 1674 Governor William Brenton made disposition by will of no less than 1100 sheep.<sup>3</sup>

<sup>1</sup> *Cal. Brit. State Papers* (Colonial), 1675-76, p. 213.

<sup>2</sup> Between 1667 and 1672, Wm. Coddington published his *Demonstration of True Love*, a book severely chiding Massachusetts for illiberality, and in this he mentions “shipping belonging to this Island from Barbadoes.”—J. Carter Brown Library.

<sup>3</sup> In April 1675, Wm. Harris, says: “There are more sheep in R. I. than anywhere else in New England.” He speaks also of trade with Barbadoes and Nevis, and of the country as “healthy and well replenished with people and cattle.” The houses, particularly at Newport, he describes as “very good.” All that he finds lacking is “thanks to God and answerable conversation thereto.” Speaking of Massachusetts, he observes that “the merchants seem to be rich men and their houses as handsomely furnished as most in London.” The exports of this colony, he states to be wool to France in exchange for linen; deer skins, sugar, and logwood to England in exchange for cloth and iron-ware; horses, beef, pork, butter, cheese, flour, peas, and biscuit to Barbadoes in exchange for sugar and indigo.

Attractive, however, as the prosperity evidenced by these things is, that of the domestic and social life of this very early Newport, revealed to us in traditions recorded in 1853 by Elizabeth C. Brenton, is even more so. The traditions yield only glimpses, but a perspective of over two hundred years lends to these glimpses peculiar charm.

One glimpse, for example, discloses the Brenton four-chimney house at Hammersmith, set amidst broad grounds, behind folding gates, and approached by gravelled paths bordered by box and peonies. It is a day in the spring of 1675. Six large riding mares, three of them provided with side-saddles, are standing at the entrance to the grounds in charge of two grooms. The door of the house opens and three tall young women—the daughters of the late Governor—come down the path attended by their brothers, the elder of whom, Jahleel, has succeeded to Hammersmith, and prepare to mount to their seats. They are each clad in broadcloth riding habit, high-heeled shoes, and beaver hat,—the latter set off with black ostrich plumes and turned up at the side to display the roached and powdered hair. The mounting is soon effected, the reins are gathered, and the little party ride quickly out of our sight.

A second glimpse discloses a group, composed of the Brenton young people, beneath the branches of

There is also, he says, a great trade in cod, haddock, and mackerel with the West Indies, Barbadoes, Spain, and the Straits. He states further that linsey-woolseys and other coarse cloths are made in Massachusetts.—Harris's examination before Sir Jos. Williamson, *Cal. Brit. State Papers (Colonial)*, 1675-76 pp. 221-222.



ancient trees near the famous Lily Pond. The gallants of the group gather golden-hearted lilies; the damsels pluck the wild roses—red and large—native to the spot; wreaths are twined from spruce and laurel. It is distinctly a Corot or Watteau scene—significant only for the moment—and speedily dissolves.

Lastly we are afforded a glimpse of a scene in the interior of the four-chimney house. It is now the spring of 1676. The war with Philip has reached Rhode Island. Seekonk (Rehoboth) has been attacked; Providence is in consternation. Many from the Mainland are taking refuge upon the Island. Jahleel Brenton, surrounded by his alarmed sisters and anxiously inquiring brothers, has just declared that the family must take refuge with their relatives—the Pools—in Boston, while he assumes command of an armed boat and reconnoitres up the bay. Then this view likewise fades into the background of years, and once more we are confronted with facts, hard, scattered, and with only a suggestion of romance.

Rhode Island by 1675 had undergone a marked change in its political condition, and this was due altogether to changes at Newport. The chapter preceding has shown that the Quakers were strong enough in 1672 to elect the Newporter, Nicholas Easton, Governor. In 1673 they not only re-elected Easton, but chose to the second place William Coddington. In 1674 Coddington was raised to the governorship, with John Easton as Deputy,

and this choice was repeated in 1675. The following year saw the Quaker, Walter Clarke, made Governor, with John Cranston, Deputy, but this marked the limit of distinctively Quaker rule, for in 1677 Benedict Arnold was returned as head of the government.

Just when the tide of Quakerism at Newport rose to a height sufficient to engulf the Coddingtons, the Eastons, the Clarkes, the Goulds, and the Bulls, is not known, but it was before the visit of the royal commissioners in 1665, for, on March 9th of that year, Coddington and Easton preferred a request of some sort in behalf of the Quakers. As early as 1661, the yearly meeting was "set up" in Rhode Island, and so great was the attendance that Massachusetts (conscience-stricken mayhap at the thought of Mary Dyer) raised the cry that the Quakers were assembling to kill the Puritans and "to fire the town of Boston." The years 1666, 1671, and 1672 were especially marked seasons of Quaker awakening at Newport, for, in the first two, the distinguished missionary, John Burnyeat, visited the Island. In 1666 he was unable to go to the Mainland on account of the deep snow, but in 1671 he "went up to Providence." The next year he came to Newport in May, and there, in company with George Fox, William Edmundson, and John Stubbs, who had reached the Island by way of Barbadoes, Maryland, the Jerseys, and Long Island, spent several weeks, holding "revival" meetings and meetings for settling affairs of church order, "that all things might be kept clear, sweet, and well."

The sojourn of Fox at Newport is memorable as furnishing the occasion for the attack upon Quakerism by Roger Williams. This attack, in so far as it serves to illustrate the dissimilarity of the positions regarding Soul Liberty taken respectively by Williams and his colony, has already been considered. It, however, is possessed of interest also on its outward side.

Fox, it seems, was entertained by Nicholas Easton and afterwards by Coddington, assisting in the house of the latter at a Quaker wedding. He, moreover, visited Providence, where, on a hot July day, he preached perspiringly in "a great barn," and where—having been informed of the disputatious tendency of the inhabitants—he had "a great travail upon his spirit that it might be preserved quiet." Roger Williams meanwhile had his eye on the arch-Quaker, and perhaps would have taken issue with him at the meeting in question had it not been for a recent experience with Burnyeat. In 1671 he had attended the yearly meeting at Newport, held under Burnyeat's direction, and had attempted "to hold a discussion," but had been frustrated "by the sudden praying of the Governor's wife" and by the action of Burnyeat in dismissing the assembly. At present, therefore, he contented himself with preparing fourteen propositions to be submitted to Fox as the basis for a public debate, in accordance with a general challenge issued through Fox's book, *The Great Mystery*, etc. The propositions were sent to Deputy Governor Cranston, to be delivered to Fox, but

through the delay (probably intentional) of the messenger (himself a Quaker) did not reach the former till Fox had been some hours departed on his way to Shelter Island. But this did not prevent the debate. Burnyeat, Stubbs, and Edmundson promptly took their leader's place, and the first two went to Providence and arranged with Williams for a discussion to be held at Newport on the 9th of August. It was further arranged—out of regard for the taste for controversy of the Providence public—that after the first seven of the fourteen propositions had been disposed of at Newport, the remaining seven were to be debated at Providence.

On the morning of August 8, 1672, Roger Williams, a man of sixty-nine or seventy years, set forth from Providence alone in a rowboat to make his way to Newport. He worked lustily at the oar all the day and evening, and just before midnight reached his destination. The morning following saw him, at about nine of the clock, enter the Quaker meeting-house where the contest was to be held. Here, ready to receive him, ranged on a high bench at one end of the room, sat his three antagonists, Burnyeat, Stubbs, and Edmundson. Williams took position directly opposite, and, a crowd having gathered, briefly explained that his purpose in seeking the encounter was both to vindicate the Most Holy Name of God and the name of the colony of Rhode Island—the first, against the presumption of Quakerism, and the second, against the charge of abetting the Quakers because tolerating their presence. He then brought

forward his first proposition,—a denial that Quakerism found support in the Bible; and, what with interruptions, replies, rejoinders, and cross-rejoinders, the whole day was consumed upon this proposition alone. Williams, indeed, was in a difficult situation. The meeting had no moderator, and anybody was permitted to talk provided he talked against Williams. A few tried to speak in his support, but were cried down as not having subscribed the propositions. As a consequence, the aged challenger was beset at every turn: now by a keen thrust of argument from Burnyeat; now by an apt Scriptural citation from Stubbs; and now by a burst of defiance from Edmundson—an ex-soldier, big, portly, and blustering, who called his opponent “old man,” and who himself has been brusquely sketched for posterity by that opponent as “a flash of wit, a Face of Brass and a Tongue set on fire from the Hell of Lyes and Fury.”

Coddington also had his genteel gibe at Williams; the Governor, Nicholas Easton, took him to task sharply; and William Dyer and William Harris—the latter now a sort of retainer to the Quakers<sup>1</sup>—snarled savagely behind him. The height of the commotion was attained when, late in the afternoon, the sage of Providence enlarged upon the cases of the two Quaker women (mentally unbalanced, but this not at the time realized) who had

<sup>1</sup> “Now,” says Williams, writing in 1679, “he [Harris] courts the Baptists; then he kicks them off and flatters the Foxians” (*Narr. Club. Pub.*, vol. vi., p. 398). That Harris was esteemed by the Quakers is evident. He defended them against the aspersions of Williams and was himself defended by George Fox in the *New England Fire Brand Quenched*.

appeared naked in public. The only answer which Burnyeat and Stubbs found themselves able to make upon this point was, that while "they did condemn all immodest appearances in women . . . yet if God stirred them up and commanded them to this service . . . they could but acknowledge God's hand and submit to it."

The day of the opening of the grand debate had been ushered in by an eclipse of the sun, and this had been followed in the evening by rain. Williams got his feet wet, and the morning of the second day of the contest beheld him hoarse and very weary. He would, he tells us, gladly have stayed in bed, but, spurred by the demands of the occasion, arose and went forth. His somewhat shattered condition caused, it is interesting to know, the circulation of the report (in whispers) that he was drunk. The last of the first seven propositions was debated on the third day of the discussion (Monday, August 12th), and Williams returned to Providence the same night.

On the 17th instant, the seven remaining propositions were taken up at Providence. Here, as at Newport, the audience was large, including a little band of Gortonists (Holden, Greene, and others) headed by Samuel Gorton himself. Only the one day was devoted to the controversy, but this was enlivened by the interposition of Gorton in behalf of Williams against John Stubbs, and by an attempt on the part of William Edmundson, prompted by William Harris, to show that Roger Williams had approved the execution of Charles I. The

day after the debate at Providence, Stubbs and Edmundson held a meeting in Warwick, but prior to this Burnyeat and Stubbs had held a meeting there at which, according to the former, Gorton and his company had maintained and said: "No Creaturely Actions could be Sin; and would have no [Immorality], nor Drunkenness, nor the like to be Sin, but what was spiritual; the outward action was but creaturely."<sup>1</sup>

At the same time (1672) that Fox and his lieutenants were strengthening the position of the Quakers upon the Island, they were establishing their sect in the Narragansett country. Fox himself preached to large crowds at "Jireh" Bull's, and he was shortly followed by Burnyeat and Stubbs, who performed a like service at Richard Smith's trading house. Quakerism, therefore, by 1673 had achieved a triumph so signal in all that part of Rhode Island south of Providence and Warwick—the part most thickly settled—that, as already pointed out, the Governors of the colony, and most of their Deputies, from 1673 to 1677, were of the Quaker persuasion. In a word, the political

<sup>1</sup> There certainly is some foundation for the charge brought against the Gortonists from time to time, that their doctrines were conducive to loose practices. Not that Samuel Gorton was ever in a single instance personally convicted of a violation of decency, but that some of his disciples, especially John Green (John Green, Jr., I take it), were known openly to assume the attitude mentioned by Burnyeat. See affidavit made on September 25, 1699, by John Easton, Francis Brinley, and Lodowick Updike. Easton declares that Greene "had often said that a man could not offend God by any outward action—a man might do what a beast might do." A stronger declaration even is made by Brinley and Updike.—J. Carter Brown Coll. *Brit. State Papers.*

condition of the commonwealth at the outbreak of King Philip's War, and during its continuance, was that implied in the circumstance that the government was largely in the hands of men—staunch individualists—whose doctrine was brotherly love, and who were forbidden by their consciences to “trayne, to fight, or to kill.”

But this is not all. More than at any time since the days of early Providence and Aquidneck, it chanced just now that the conditions political in and about Narragansett Bay were not altogether those of a single dominant race. There were, so to speak, two systems of politics to be reckoned with within the colony. There was the system of the white man (importing at present Quakerism or non-resistance), and there was also the system of the Narragansett Indians, the import of which is to be considered.

We have seen in Chapter III. that the policy of *Canonicus*, followed by *Miantonomi*, was that of peace with the English at almost any hazard. In this there was more or less involved the idea, fostered by the *Pequod* War, of alliance (offensive and defensive) on the part of the *Narragansetts* with the English against the enemies of the former. Unfortunately for the success of this idea, the *Mohegans*, who were among these enemies, soon came to be more valued as friends by the English (outside of Rhode Island) than the *Narragansetts* themselves. Then occurred the lamentable affair of *Miantonomi's* death, which, while exciting almost



to madness the feeling against Uncas and his tribe, very sensibly diminished confidence in English professions. Indeed, after the execution of Miantonomi, the Narragansetts plainly became convinced that the English outside of Rhode Island—that is, the United Colonies—were their enemies; and, under this conviction, they made their memorable subjection to the King. But here again was disappointment. The subjection was without visible result. In spite of it, and almost it might seem because of it, war was levied against them by the United Colonies, and there was imposed a fine of 2000 fathoms of beads.<sup>1</sup>

To put the case in brief, the simple growth of the English in numbers about Narragansett Bay—a growth inevitable, but fostered by the friendly

<sup>1</sup> There was delay in the payment of the fine, and it is said that Captain Humphrey Atherton enforced payment on September 5, 1650, by invading the tent of Pessicus, pistol in hand.

Roger Williams would seem to give a different version of this famous incident. Writing on October 9, 1650, to John Winthrop, Jr., he states that on September 30th Captain Atherton, with "above twenty soldiers and three horses," came to him to attend his party to the camp of the sachems, situated within three miles of his house [in Narragansett]; that Atherton's errand was to collect 308 fathoms of wampum due on the debt, and 200 fathoms additional as a charge for collecting; that Williams went alone to the sachems, and (afterwards) accompanied by Atherton, and that a meeting was arranged for the day following; that on that day the captain pressed hard for wampum or for hostages, protracting the conference till night; that when night came, he (unknown to Williams) drew up his command so as to surround the Indians; that he then sent for Williams and asked him to tell the Narragansetts that he must be paid the sum demanded or he would take with him by force Pessicus and Canonchet; that thereupon Williams strongly protested against Atherton's course, and finally prevailed upon him to wait four days for payment, he [Williams] agreeing "to lay down" ten fathoms himself.—*Narr. Club Pub.*, vol. vi., pp. 200-203.

policy of Canonicus — had brought (and this not without mutual surprise) the Indian and the white man face to face as upon a narrow causeway, where for either to advance meant the destruction of one, and yet where not to advance was for both alike impossible.

With the Quakers, then, in possession of the Rhode Island Government, and with the Narragansett Indians restive under pressure from the white race, the local conditions were altogether favorable for a devastation of the colony by the Indians at any moment and wherever exposed, and this (in 1675 and 1676) is just what occurred ; this, in other words, for Rhode Island was King Philip's War.

Massasoit — the venerable chief of the Wampanoags and ally of Plymouth Colony since 1621 — died in 1660, and was succeeded by his eldest son, Wamsutta or Alexander. The latter, within two years from his accession (1662), was charged in reports emanating from Boston with conspiring with the Narragansetts against Plymouth, and was desired by the Plymouth Governor, Thomas Prince, to appear at the next court and exculpate himself. It was stated to the Governor that he promised to do as desired, but, whether so promising or not, he failed to come, and an armed force under Major Josiah Winslow was sent to Mount Hope, his abiding place, to compel him. On appearing, he was furnished quarters at Major Winslow's house, where almost immediately he fell ill with a fever.

Medical aid was provided, but the illness proving obstinate, he was permitted to be taken home. Soon after reaching home, or, according to some accounts, while on the way thither, he died. It was represented by the English that Alexander's fever was the result of passionate indignation at his arrest. His wife Namumpum, afterwards called Weetamoe, and some others among the Indians, believed that he had been poisoned. At all events his death, ensuing so speedily upon his capture, seemed to be connected therewith, and left in the Indian mind a rankling enmity.

Alexander was succeeded in the sachemship of the Wampanoags by his brother Meatacom or Philip. The latter was perhaps twenty-two years old, large, commanding, and proud of his position. As a visible sign of authority, he wore "a Coat and Buskins thick set with beads in pleasant wild Works and a broad Belt of the same." He surrounded himself, moreover, with a body of councillors, the most celebrated of whom were Watuspaquin or the Black Sachem, Umanthum or Nimrod, Annawon, and Peebe. His coronation (so to call it), which followed close upon the season of lamentation for Alexander, involved the attendance at Mount Hope of a large company. Plymouth, scenting danger in this, summoned the new sachem to declare his intentions. Accordingly, on August 6th, he appeared before the General Court, and, together with five of his subordinates, signed a treaty renewing the "ancient covenant betwixt his predecessors and the Pilgrims."

Five years now passed, during which Philip rapidly dispossessed himself of his ancestral acres to the English, in exchange for blankets, utensils, and groceries. To Dedham, in 1662, he sold the township of Wrentham. In 1664 he sold Mat-tapoiset to Deputy Governor William Brenton of Newport. In 1665, 1666, and 1667, he made other sales. In 1667, however, the war with Holland and France broke out, and Philip was reported by one of his men as expressing a readiness to join with either belligerent in order to recover his lands. Upon this Plymouth again summoned him, and after various preliminaries secured a further protestation of "faithfulness." Four years more then elapsed, during which Philip kept on disposing of his lands to the English. In the fourth year (1671) he was charged by Plymouth with collecting arms, sharpening hatchets, and harboring strange Indians, and, under the advice of Massachusetts, he consented to attend a conference at Taunton on April 10th. Here the son of Massasoit was led to put his name to a confession that he had taken up arms, and this from "naughtiness" and "with evil intent." He therefore agreed, by way of pledge for his future good behavior, to yield up all the English arms in his possession to be kept so long as Plymouth should see reason.

Evidently in the case of the Wampanoags, as in that of the Narragansetts — and more evidently in the former case than in the latter — the white man and the Indian were rapidly nearing each other

along that causeway which, by its narrowness, was to precipitate them into a death-grapple with each other.

The 24th of June, 1675, is the accepted date of the outbreak of hostilities between Philip and Plymouth Colony, but a date a week or ten days previous to the 24th marks a point of extreme interest in Rhode Island's connection with the struggle. At this juncture a number of the most prominent figures in the approaching drama make a preliminary appearance upon the stage, and it will be well for us to take account of them.

There is, to begin with, Philip attended by his councillors. Next there is Weetamoe, lately the wife of Alexander but since united to Peter Nunnit. She is Squaw Sachem, or Queen in her own right,<sup>1</sup> of Pocasset — the modern Tiverton. Then there is the Squaw Sachem Awashonks, who rules in what is to-day Little Compton, her territories lying along the western shore of Saconet Peninsula, and centring about Tompe Swamp. Following upon the Indian personages, appears the sturdy pioneer and Indian fighter, Benjamin Church; and, closing the spectacle, come five worthy citizens of Rhode Island, all probably Quakers, two of them

<sup>1</sup> Mrs. Rowlandson (captured at the destruction of Lancaster) gives the following interesting description of Queen Weetamoe: "A severe and proud dame she was; bestowing every day in dressing herself near as much time as any of the gentry of the land — powdering her hair and painting her face, going with her necklaces, with jewels in her ears and bracelets upon her hands. When she had dressed herself her work was to make girdles of wampum and beads." — *Rowlandson Narrative*, pp. 63, 64.

magistrates, and one, John Easton, the Deputy Governor of the colony.

Benjamin Church of Duxbury, settled in the Saconet country in the spring of 1675, and soon established cordial relations with Awashonks and her people. About June 15th, he was sent for by the Saconet Queen to attend a levee which she was giving in honor of six emissaries from Philip, who had been sent to make sure of her co-operation. The levee took the form of a great dance led by the Queen in person, and when Church arrived he found the former in a "foaming sweat" in the midst of her exertions. But she at once left the capering circle, and, seating herself, ordered her English guest to be presented. This done, she told him of Philip's overtures to her, and demanded to know what she should do. The sum and substance of Church's advice was "to knock the six Mount Hopes on the head, and shelter herself with the English." This was bold language to be uttered in the actual presence of the emissaries, — fierce with paint, their hair cut comb-fashion and with powder-horns and shot-bags at their backs — and it produced a sensation. But Awashonks herself took no offence, and when Church bade her adieu she provided him with an escort and commissioned him to appear in her behalf before the Plymouth authorities. Returning to his house, our courageous pioneer hastened to Pocasset, and here he encountered Peter Nunnuit, the husband of Weetamoe, who had just crossed from Mount Hope in a canoe. Peter told Church that

there certainly would be war, for Philip had been holding a protracted dance, in which Indians from all parts of his dominions had participated.

Meanwhile the Rhode Island Government, hearing constant rumors of uneasiness among the Wampanoags, resolved unofficially to lend its good offices, and about June 17th sent word to Philip that if he would "come to the Ferry," a delegation would wait upon him. The bearer of the message (not improbably Samuel Gorton, Jr.,<sup>1</sup>) was at first in some danger from the angry savages, but, when it was ascertained that he was from Rhode Island, he was respectfully listened to, and his request that Philip betake himself for a conference to the point where Bristol Neck approaches nearest to the island of Rhode Island, was granted. The messenger then returned, and the delegation crossed at the ferry and met the Indians. Of the latter, there were Philip himself, unarmed, with forty armed attendants. The English, as already stated, were five in all, headed by the Deputy Governor, John Easton.

Our only account of the conference is by Easton, and, despite the gross illiteracy of the scribe, its value historically is of the highest.

"We sate veri friendly together," the narrative begins. "We told him [Philip] our bisnes was to indever that they might not reseve or do Rong. They said that was well : they had dun no Rong, the English ronged them. We said we

<sup>1</sup> Peter Nunnuit told Church that he had seen Samuel Gorton, an interpreter, at Mount Hope. It is not improbable that Gorton was at that time (June 15th or 16th) arranging for the conference with the Rhode Islanders.

knew the English said the Indians ronged them, and the Indians said the English ronged them, but our Desier was the Quarrell might rightly be desided, in the best Way, and not as Dogs desided their Quarrells. The Indians owned yt fighting was the worst way : then they propounded how Right might take Place."

To this the Rhode Islanders—bringing forward their panacea—replied: "Arbitration." The Indians objected that the English would accept as arbitrators none but Englishmen. "We said," continues the narrative, "they might chuse a Indian King and the English might chuse the Governor of New Yorke, yt neither had case to say either wear Parties in the Diferance." This suggestion made a favorable impression, and it is Easton's comment that "if yt Way had bine tendered they probably would have accepted."

The Indians then launched into a recital of grievances which at first the Islanders expressed a disinclination to hear, but which, at Philip's personal request, they allowed to proceed.

"Their King's Father," the Indians resumed, "when the English first came was as a great Man and the English as a littill Child, he constrained other Indians from ronging the English, and gave them Corn and shewed them how to plant, and was free to do them ani Good. . . . But their King's Brother, when he was King came miserably to dy by being forced to Court, as they judge poysoned. We indevered, however," continues the narrative, "yt they should lay doune the War, for the English wear to strong for them ; they said, then the English should do to them as they did when they wear to strong for the English. So we departed without ani Discurtiousnes."<sup>1</sup>

<sup>1</sup> *Easton's Relation* (Hough's ed.), p. 7.



The efforts of Rhode Island to keep the peace were laudable, but they came to naught, and on June 20th Philip's men burned two houses at Swansea. News of this reaching Plymouth, troops were at once mobilized to concentrate at Taunton. At the same time, Benjamin Church was asked by Governor Winslow to urge the Rhode Island Government to meet the necessities of the expedition in a naval way by providing boats; and as the point was further emphasized by letters from the Governor and from Major Bradford, the Islanders conceived the precaution of manning their boats with relay crews and causing them to patrol the exposed northern shores by day and night.

The first blood in the struggle of races now fairly begun was shed at Swansea on the date already mentioned (June 24th), when some nine or ten settlers were killed. Philip then—beset by the Plymouth troops, and also by a force from Massachusetts—transferred operations from Bristol Neck to Pocasset,<sup>1</sup> leaving behind him such ghastly memorials as incinerated houses and the hands and heads of murdered Englishmen, stuck upon poles. His occupation of Pocasset was signalized by raids eastward, and by a successful stand amid the thickets of Pocasset Swamp against the combined Plymouth and Massachusetts forces, until July 29th. He then, accompanied by Weetamoe's band, quickly escaped over Taunton River

<sup>1</sup> The western portion of Plymouth Colony, as well as the northern and eastern part of Aquidneck, was called Pocasset.

in the direction of the Nipmucs. The latter had already earned the approval of their advancing royal guest by an attack on Mendon, and his advent was duly celebrated by the ambushing, on August 2d, of Captain Edward Hutchinson with a party near Brookfield.

But meanwhile the colonies, particularly Massachusetts, were anxiously asking themselves—What of the Narragansetts? This nation was reported to possess 2000 fighting men and 900 guns, and it therefore was of the utmost importance to keep them from joining the Wampanoags. That they, owing to a long series of affronts beginning with the execution of Miantonomi, somewhat shared the feelings of the Wampanoags, we have already seen. We have also seen that latterly the growth in importance of Rhode Island had bred difficulties for them even with this friendly colony.

It chanced, moreover, that at this juncture the youngest son of Miantonomi (Nananawatunu or Canonchet) had come to be acknowledged the Chief War Sachem of the Narragansetts. Pessicus, his uncle, was still a great sachem, but now rather in the capacity of an adviser or councillor than in that of a warrior. Canonchet, indeed (to whom Roger Williams alludes on June 13, 1675, as Miantonomi's "very hopeful spark"), was a more Spartan character than his parent, and doubtless by no means disinclined to embrace a chance to wreak upon the English and their Mohegan allies belated vengeance for that parent's death. So, all

things considered, it was decided at Boston on June 21st, just after the burning of the two houses at Swansea, to put the Narragansetts on their good behavior, and the following day Captain Edward Hutchinson, Seth Perry, and William Towers were despatched to Providence with letters from the council asking Roger Williams to accompany these gentlemen to Narragansett to aid them in coming to terms with the natives.<sup>1</sup> Williams did as desired, and succeeded in obtaining an interview with Canonchet. The latter "readily and gladly assented in all the Governor's desires," and sent post haste for Mausup (Pessicus), the Old Queen (Quaiapen, Ninigret's sister), and Ninigret himself, to meet the commissioners. The conference (which was held on June 24th or 25th) was concluded with a stern warning to the sachems "to separate from the Plymouth Indians and from Philip their desperate head."

Roger Williams evidently became satisfied that the friendly assurances given by the Indians were utterly empty, for, writing to John Winthrop, Jr., on June 27th, he mentions a hostile demonstration of a party of one hundred Narragansetts toward Warwick, and suspects that "all the fine words from the Sachems to us were but words of policy, falsehood, and treachery." That the suspicion was correct was confirmed by news from Newport. Pessicus had confessed to certain Newport messengers that, while "his heart affected and sorrowed

<sup>1</sup> *Mass. Archives*, lxvii. 201. See Bodge's *Soldiers in King Philip's War*, p. 88.

for the English, he could not rule the youth and common people, nor persuade the chiefs." He therefore advised the English in Narragansett "to stand upon their guard, to fortify one or more houses strongly," or else "to fly."

By the 1st of July Williams was back in Providence, and by the 5th again in receipt of a request from the Boston authorities to accompany Captain Hutchinson to Narragansett. This time the captain and his companion were attended by Captain Samuel Mosely, a famous hunter of Dutch pirates, with about a hundred volunteers, and they proceeded by boat. On July 7th Williams wrote from Richard Smith's to Wait Winthrop (a son of John Winthrop, Jr.,) at New London, or Stonington, that Hutchinson had sent "again and again for the Sachems," but that a meeting had not been agreed upon, and that, should one be called, he feared it would end "in blows and bloodshed." The Narragansetts in fact were in hiding, and when at length, on July 15th, a few of their aged and comparatively unimportant men were got hold of, and forced to sign a treaty stipulating for the surrender of Wampanoag refugees, and for the delivery of Wampanoag heads, it naturally was not worth the paper upon which it was written.

Throughout September and October the Wampanoags and Nipmucs desolated the valley of the Connecticut, making attacks upon the Massachusetts settlements of Deerfield, Northfield, Springfield, and Hatfield, while the Narragansetts waxed restive under their treaty bonds to the point almost

of open defiance. It was in October that one of the young Narragansett princes, returning from Boston with his retinue, was carried by Roger Williams in his "great canoe" from Seekonk to Pawtuxet.

"I told him and his men," says Williams, "that Philip was his Cawkokinnamuck, that is, looking-glass. He [Philip] was deaf to all advice and now was overset (cooshkowwawy), and caught at every part of the country to save himself, but he shall never get ashore. He answered me in a consenting, considering kind of way, 'Philip cooshkowwawy.' . . . I told him that if he were false to his engagements we would pursue them with a winter's war, when they should not, as musketoes and rattlesnakes in warm weather, bite us."<sup>1</sup>

The young prince in question — perchance no other than Canonchet himself — doubtless kept much locked within his breast when, astutely declining debate with the old-time friend of Miantonomi, he meditatively repeated after him the words, "Philip cooshkowwawy." That "winter's war" suggested by Williams was destined to come speedily to pass.

By the first of November, 1675, the colonies of Massachusetts, Plymouth, and Connecticut had fully reached the conclusion that to temporize longer with the Narragansetts would be folly. Not a single Wampanoag had been surrendered, and, what was more, there was proof that various Narragansett youth had of late returned wounded from fighting against the English,—in some instances bringing with them guns known recently to have

<sup>1</sup> *Narr. Club Pub.*, vol vi., p. 375.

been in English hands. Philip, it was reported, had gone into winter quarters near Albany, whence, through the Dutch and French, he could replenish his powder supply, and by spring be in position to unite with the Narragansetts—the protectors of his women and children—in a formidable campaign for the destruction of New England. It remained, therefore, as the only expedient, to strike the Narragansetts in their quarters and at once.

The invading army consisted of 540 men from Massachusetts, 158 from Plymouth, and 450 from Connecticut—1148 in all—besides certain volunteers from Rhode Island. Their objective was the swamp-environed tract, some three or four acres in extent, situated in what is now South Kingston, Rhode Island, which for an unknown period had been occupied as a stronghold by the Indians of Narragansett. Tower Hill was the point of final rendezvous, and from here on Sunday, December 19th, the advance was made.

The high ground within the swamp had been enclosed by palisades. Outside these was a line of abattis formed of young trees, and at the various angles and exposed places rude blockhouses and flankers had been erected. It, however, was the swamp itself which formed the most substantial barrier, and this, had it not been congealed by the recent severe weather, might have given the assaulting troops much trouble. As it was, they were able to pass it easily and to concentrate attention on the fort itself. At one angle there was found a spot, free alike from abattis and palisades, where

the opening was defended only by a long tree. There were flankers, it is true, and there was a blockhouse, but these could be passed with a rush, and here, therefore, the assault was delivered. Two Massachusetts companies — those of Nathaniel Davenport and Isaac Johnson — led, and both were repulsed, losing their captains. The companies of Mosely and Joseph Gardiner, pressing to the rescue, were likewise repulsed. Perceiving the desperate nature of the resistance offered, Major Samuel Appleton, who commanded the Massachusetts men, now massed his entire column at the opening, and with the cry that the Indians were running, the column swept into the fort, capturing one of the flankers. The Massachusetts troops were promptly followed through the perilous defile by those of Connecticut, and, amid considerable fighting at close quarters, conducted by the Indians from the shelter of their blockhouses and lodges, the interior was for the most part mastered.

The total loss on the part of the Indians was great, but probably has been overestimated. The killed may have reached 100, possibly 150, and the wounded were in proportion. Besides, according to Captain James Oliver of Massachusetts, some 350 fighting men and 300 women and children were made captive.<sup>1</sup> On the part of the English the loss was about 68 killed and 150 wounded.<sup>2</sup> Of these the wounded were transferred to the island

<sup>1</sup> Church's *Narrative*, (Dexter's ed.) p. 59.

<sup>2</sup> Bodge's *Soldiers in King Philip's War*, p. 190.

of Rhode Island, where they were assigned "good quarters" and given particular care.<sup>1</sup> Major Peleg Sanford alone furnished quarters at Newport for a large body of wounded, supplying (besides many other things) "244 pounds of mutton, 66 pounds of butter, 74 pounds of sugar, and 28½ gallons of rum"; and quarters were also furnished by Robert Carr and the heirs of William Brenton.

From the time of the defeat and consequent dispersion of the Narragansetts to the end of the war, Rhode Island in its Mainland area became part of the theatre of Indian devastation. On the one hand, the Indians were now freed from the necessity of even pretending to regard their treaty bonds; and on the other, the Quaker-dominated Rhode Island Government made but feeble effort to resist attack. On October 27, 1675, the General Assembly referred the whole matter of the colony defence to the "Council of Warr in each towne," and there left it for several months. In Providence the council was somewhat active as early as January, 1675-76, and this chiefly through the efforts of Roger Williams and Arthur Fenner.

At the beginning of February, 1676, the Nipmucs, Narragansetts, and other tribes confederated under Philip were gathered in large camps at Wenimesset (New Braintree), Squakeag (North-

<sup>1</sup> The author of the *Old Indian Chronicle* (Drake's ed., p. 211) says that while the Governor of Rhode Island (Wm. Coddington) received the wounded kindly, some "churlish Quakers were not free to entertain them until compelled by the Governour."



field), and Mount Wachuset (Princeton), and from these points they made, on the 10th instant, an attack on Lancaster, and, on the 21st, on Medfield—the latter a point only twenty miles from Boston. These things, of course, were duly taken note of by the Providence Council of War, and during February Captain Arthur Fenner, profoundly disgusted at the neglect of the Mainland of Rhode Island by the Quaker Government at Newport, despatched a sharp note on the subject to Governor Walter Clarke. On February 28th Clarke replied to Fenner, remarking upon “your evil suggestions concerning us in authority, especially myself, as if not worthy to live.” He then proceeded to explain that it had been through the financial inability of the colony that the towns of the Mainland had been left unprovided with garrisons, and to suggest a removal to the Island for safety. Evidently Fenner in his letter had hinted at an appeal to the United Colonies, for Clarke protested against such action as likely to result in “your being made a prey of.” He concluded with the tender of the following provocative bit of moral philosophy: “We know the Lord’s hand is against New England, and no weapon formed will or shall prosper till the work be finished by which the wheat is pulled up with the tares and the innocent suffer with the guilty.”

On March 13th the General Assembly convened at Newport, and the critical situation of the Mainland towns became the leading question. Warwick had followed the example of Providence and sent

a forcible letter to the Governor. In view of the two letters, it was voted by the Assembly to advise the people of the Mainland "to repaire to this Island which is the most secureist." It was at the same time stated that such as should come and be unable to "procure land to plant for themselves and families would be supplied with land by the townes of Portsmouth and Newport," and that "each family soe wantinge a libertye might have a cow kept upon the commons." An order was also made that every Indian servant in the colony, "from twelve years old and upward," should be provided with an attendant in the daytime and be locked up at night; but that "noe Indian in this collony shall be a slave," save only for debts, covenant, etc., "as if they had been countrymen not in warr."

The island of Rhode Island had already been made a place of refuge by the Swansea settlers, and by persons from the exposed shores of Plymouth Colony and Narragansett; but from this time forth it became likewise a Zoar or refuge for the Warwickites and for most of the inhabitants of Providence. Warwick, indeed, becoming ambulatory, completely abandoned its town site, and set itself up as a corporate entity upon the Island till the advent of peace should admit of its return. Providence was more tenacious in its hold upon the soil, and never altogether quitted the Mainland, some twenty-seven of the most valorous of its sons, including Roger Williams, remaining throughout the period of disturbance.

March 17th and 26th (1676) saw the bursting of the cloud of destruction over the Rhode Island Mainland, in the burning of the deserted houses of Warwick,<sup>1</sup> and in the annihilation at the river side, near Pawtucket Falls, of Captain Michael Pierce of Scituate, Plymouth Colony, with a force of seventy men, by a body of Narragansetts led, it is thought, by Canonchet.<sup>2</sup> It is a familiar tradition that, when the Indians approached Providence to destroy it,<sup>3</sup> Williams, staff in hand, met the sachems and tried to change their purpose, but that they, while assuring him of personal regard in memory of the past, urged him not to expose himself, as their young men were much enraged, and rejected peremptorily all his overtures for a cessation of the war.<sup>4</sup>

Elizabeth C. Brenton — as remarked on a preceding page — records a tradition, that upon re-

<sup>1</sup> Only one house — a stone structure — survived. About March 15th the garrison which had been left at Smith's trading house abandoned it, and on the day following it was burned by the Indians. The author of the *Old Indian Chronicle* calls Smith's place "one of the most delightful Seats in New England." — *Chronicle* (Drake's ed.), p. 216.

<sup>2</sup> Bliss in his *Hist. of Rehoboth* (pp. 93, 97) suggests that Philip himself may have led the Indians in this conflict. The probabilities, however, point to Canonchet.

The *Old Indian Chronicle* (Drake's ed. p. 211) states that Pierce was decoyed into an ambushade by four or five Indians who, pretending lameness, made what apparently were desperate efforts to get away from Pierce's men.

<sup>3</sup> It is the tradition that when the house of John Smith, the miller and town clerk, was set on fire, the owner saved the *Providence Records* by throwing them into the mill-pond. The researches of Mr. Edward Field of Providence have brought to light evidence that these records were in the hands of the Indians. Daniel Abbott in 1678, and Benjamin Hernden in 1686, make allusion to "ye Indians they having [had] ye Books."

<sup>4</sup> Backus is authority for this tradition. — *Hist. New Eng.*, vol. i., p. 424.

ceipt of the news of the burning of Rehoboth, Jahleel Brenton took command of an armed boat and proceeded toward Providence. The tradition further is, that even at this late time many families were just leaving the town, and that Jahleel's boat, in the midst of a furious storm, aided in carrying them to Newport. Be this as it may, the Island was becoming crowded with refugees. As early, indeed, as January 17th, the executive council of New York passed a resolution "to let ye Governor of Rhode Island know that any in their Parts driven by the Indians from their Habitacons or Plantations, shall be welcome here and have Land assigned them upon this, Long Island or Staten Island"; and, not later than May 5th, the same council took cognizance "of the great Number of the People flockt to Rhode Island from their Habitations destroyed . . . insomuch that the inhabitants are very much straitened by their Numbers, and will quickly want Provisions."

The hospitality of the Island — extended as this hospitality must have been largely by Quakers — provoked from William Coddington (on January 9th) a letter to the Massachusetts Government, severely contrasting the Massachusetts way of persecution with the Rhode Island way of Toleration. In the autumn of 1675 several Boston Quakers had been forced, literally, to run the gauntlet because of refusing to bear arms in the war with Philip, and, alluding to this, Coddington scathingly says: "Our Houses are now open to receive your Wounded and all in Distress, we have prepared an Hospital

for yors, but you a House of Correction for all yt repaire to our Meetings, is this soe to do as you would be done by.”<sup>1</sup> But even here there would seem to be another side, for Roger Williams, writing shortly after King Philip’s War to Governor Leverett at Boston, affirmed :

“ A poor man came to Mr. Coddington in these late bloody distresses, and offers to buy a bushel of corn for his poor Wife and Children in great want. Mr. Coddington, though abounding, would not let this poor Soul have a bushel, except he would pay him a week’s work for it, which it is said the poor man was forced to give him. Alas what doth the Pope, Cardinals, Jesuits, Bishops, Doctors, Presbyters, Independents, Baptists, Foxians prate of the Christian name, and new and old England talk of Religion ? ”<sup>2</sup>

With the destruction of Pierce and his command, the fortunes of Philip and his allies reached high tide. Plymouth awakened to fresh exertions, and even Quaker Rhode Island now began to bestir itself. On April 4th the Assembly ordered that the shores of the Island be patrolled by four well “ furnished ” boats, five or six men in a boat ; that an enumeration be made of all the inhabitants of Ports-

<sup>1</sup> Hough, *Easton’s Relation*, p. 134.

<sup>2</sup> *Proc. R. I. Hist. Soc.*, 1875-76. Williams also writes: “ Doth Mr. Coddington think to be so high a Saint . . . and yet in men’s account loves the World exceedingly ? . . . A considerable company of Providence people fled to Rhode Island their Houses here, their Forts, their Fences burnt up, and much if not most of their Cattel destroyed: they obtained leave of the Government at Newport to inclose a piece of the Common to get corn. They inclosed and sent two men . . . to pray for Mr. Coddingtons favor to make use of some of his windfall Trees . . . for two gates etc. But Mr. Coddington (who had never had a foot on Rhode Island but by one man of Providence his means) now abounding with Land and Trees, turns these poor Providence distressed Souls off with a denial, ” etc.

mouth and Newport,—English, negroes, and Indians,—and that account be taken “how all persons are provided with corne, guns, powder, shot and lead”; that a barrel of powder be furnished to Portsmouth, and that “the two great guns that are now in the yard of the late deceased Mr. William Brenton shall be pressed for the Country’s service, and carried to Portsmouth, and placed the one in the ferry neck, the other at or near the house of John Borden.”

Indeed, once having got started, the Quaker Colony did not pause, but throughout the months of April, May, and June continued its defensive preparations. On April 11th John Cranston was commissioned Major for the entire colony in a document signed by the Quaker Governor (at this time Coddington), commanding him to “use his utmost endeavor to *kill*, expulse, expell, take and destroy all and every the enemies of this his Majesty’s Collony.” On May 3d “ten barrells of powder and two thousand weight of lead” were ordered from Boston, and a committee was named to visit Providence and decide upon the practicability of garrisoning the town. On June 14th it was resolved to establish a garrison. Commissioners to this end — “Mr. Roger Williams, Capt. Arthur Fenner, Mr. William Harris, and Mr. George Lawton” — were appointed, and Arthur Fenner was designated as captain. By June 30th, however, the tide of Quaker influence, already past its flood, had begun to ebb very sensibly, and there was enacted a law repealing the exemption statute

of May, 1673, in favor of the advocates of non-resistance.

The defeat of Pierce by Canonchet in March was followed in April by the defeat and capture of Canonchet by the forces of Connecticut under Captain George Denison. The Narragansett sachem had come to Pawtucket, with some thirty followers, to obtain a supply of seed-corn, and while in fancied security thus engaged, the Connecticut troops—consisting of eighty Mohegans and Pequods, a small band of Ninigret's men, and forty-seven English soldiers—came upon his camp. The quick ear of the sachem detected the approach of a body of troops, and he at once sent two Indians to the top of a hill near by to reconnoitre. These, perceiving the imminence of the danger, precipitately fled. Two others were then sent, one of whom hastily returning warned Canonchet, who, seizing his gun, sought to escape. In his flight he cast from him first his blanket, next his silver-laced coat (a present from Massachusetts), and finally his royal belt of wampum, but, compelled to cross a small stream, his foot slipped on a stone and he fell, wetting his gun, and so was rendered helpless. The wetting of his gun, as he afterwards confessed, destroyed hope within him, causing him to become as "a rotten stick," and he was quickly overtaken by Monopoide, a Pequod, to whom he surrendered without a struggle. His pride none the less remained, for, when the interpreter, young Robert Stanton, approached and would have questioned him, he disdainfully turned

away, calling him "much child," and asked to be confronted with the English captain.

Canonchet was offered his life if he would consent to counsel to the Narragansetts submission, but this he utterly refused to do. When told of the determination to put him to death, he merely replied that "he liked it well, for he should die before his heart was soft or he had spoken anything unworthy of himself." He was taken to Stonington, and there shot by Oneko, the son of Uncas, in the presence of two Pequod sachems of rank equal to his own.<sup>1</sup> It is a coincidence more than ordinarily striking that Uncas, and the son of Uncas, should respectively, and at dates thirty years apart, have proved instruments of vengeance upon Miantonomi and Canonchet. There is in the coincidence, indeed, both sadness and fatality: the sadness of wild pride and sovereignty struggling hopelessly to maintain themselves, and the fatality which decrees the struggle at the same time that it decrees its hopelessness.

The death of Canonchet, coupled with the growing difficulty of subsistence on the part of the Indians, and with a loss of 130 to 180 warriors inflicted upon them by Captain William Turner of Boston (May 19, 1676) at the Great Falls of the Connecticut River, operated to weaken Philip's confederacy, and by June there began to appear

<sup>1</sup> The *Old Eng. Chronicle* (Drake's ed., p. 232), thus describes the execution of Canonchet: "The Pequods shot him, the Mohegans cut off his Head and quartered his Body and the Ninnicraft's Men made the fire and burned his Quarters; and as a Token of their Love and Fidelity to the English, presented his head to the Council at Hartford."



signs that the Nipmuc tribes were wearying of the conflict. Philip accordingly departed eastward with the Wampanoags, while the Narragansetts drifted back into southwestern Rhode Island. Moreover, as Philip himself met his death on August 12th, it becomes evident that it is between June 1st and the date just mentioned that we are to look for the main incidents in the last chapter of King Philip's War.

These incidents, so far as Rhode Island is concerned, were the destruction in Narragansett, on July 2d, of Quaiapen, the "Old Queen," and her people by the Connecticut troops; the killing in Dedham woods, on July 25th, of Pumham, the long-time enemy of Warwick, by Captain Samuel Hunting; the drowning in Taunton River, on August 6th, of the ill-starred Weetamoe, Queen of Pocasset and widow of Alexander, as she sought safety from the English upon a raft; and two memorable exploits by Benjamin Church, the first of which again brings before us the interesting Squaw Sachem Awashonks.

When Church left Awashonks in June, 1675, to go to Plymouth, he had promised to return quickly, but had been prevented by the course of events. Meanwhile, the Queen had with more or less reluctance been drawn to the side of Philip. Church, however, had faith in her good intentions, or, at least, in his ability to mould her intentions, and, upon the dissolution of the confederated tribes in June, 1676, kept on the alert to find her. He him-

self, in March, had removed from Plymouth to the island of Rhode Island, stopping first with John Almy in Portsmouth, and afterwards with Peleg Sanford in Newport. One day in June as he was being conveyed by two friendly Indians in a canoe from Falmouth, through the narrow channels of the Elizabeth Islands, to Newport, he saw a few Saconets (Awashonks' people) on what are now known as Onion Rocks engaged in fishing. With great boldness Church drew near, and, after some parleying, landed. He was met by "honest George," one of his guides of the year before, and, learning that Awashonks was back in her old abode, Tompe Swamp, he arranged for an interview on a subsequent day, and departed. The next morning Church reported himself to the Newport authorities, and asked permission to go to Saconet, and to take with him Daniel Wilcocks as interpreter. The venture was deemed too hazardous for official sanction, but Church was permitted to go at his own risk, and, providing himself with a bottle of rum and a roll of tobacco, he set forth.

Arrived at Saconet, he was met by Awashonks in person, and conducted to a spot where they could be seated. The grass all about was waist-high, and hardly had Church sat down when from it there arose a large body of Indians armed with guns, spears, and hatchets. The Indians proceeded closely to hem in Awashonks and her guest to the no small discomposure of the latter. Church however, assumed a bold face, and firmly, yet politely, asked the savages to lay aside their guns.

This, with some muttering, they did, and the rum and tobacco were produced. Awashonks—upon receiving proof that the rum was not poisoned—permitted herself to be lured from one hearty swig to another until (settling to a pipe of tobacco) she was in a mood for diplomacy. Matters now ran smoothly until Church happened to allude to a fight in which he had been prominent, when a big, surly Indian lifted his club and would have killed him as the destroyer of his brother. But the would-be avenger was restrained, and finally there was concluded an understanding permanently detaching Awashonks from the waning cause of Philip<sup>1</sup>.

Church's second memorable exploit, in the summer of 1676, was the killing of Philip himself in his ancestral fastness of Mount Hope. Events in history have at times a startling way of conforming themselves to dramatic canons, and of this the events of the conflict under consideration are a pertinent example. The protagonist of the drama—as we may regard Philip—issued to New England, in June, 1675, his challenge of fire and blood from Mount Hope. Sweeping thence through a circle of tragic scenes, he reappeared at Mount Hope in June, 1676, and yielded up his life, a forfeit to Destiny from the beginning.

It would seem that, about June 10th, Benjamin Church was regularly commissioned captain in the service of Plymouth Colony. From this time forth he ranged the woods and swamps, making frequent captures of Indians, among whom (Au-

<sup>1</sup> Church's *Narrative* (Dexter's ed.), p. 74 *et seq.*

gust 1st) were Philip's wife and his son nine years old. On August 11th, Church crossed to Rhode Island from Pocasset, and rode eight miles down the Island to Major Sanford's in order to visit his wife and family. The wife was so overcome at sight of her husband, returned from so many perils, that she fainted, and had but just revived when Church "spy'd two Horsemen coming a great pace." These proved to be Major Sanford himself and Captain Roger Golding of Portsmouth. They brought word that they had learned from a deserter that Philip was "now in Mount Hope Neck." Church at once started for the ferry to Bristol, saw the deserter, ascertained that the sachem was in camp upon a knoll at the south end of the swamp at the foot of Mount Hope, and by midnight had crossed with a company and invested the spot.

Before the investment was complete, a shot was fired by Captain Golding at an Indian whom he detected, as he thought, watching him, and the whole body of Indians rushed into the swamp. Foremost was Philip, gun in hand, with powder-horn and slug-pouch dangling from him, but clad only in small-breeches and stockings. He ran, as it chanced, directly upon two of the ambush—Alderman, a friendly Indian, and an Englishman, Caleb Cook. The latter fired, but missing the leaping target, bade his companion to fire. Alderman did so, sending a musket ball through Philip's heart, and another through his breast within two inches of the first. The great Sachem of the

Wampanoags—the son of Massasoit—fell, Church tells us, upon his face in the mud and water, with his gun under him. At the close of the stampede, he was pulled out of the mire by his breeches and stockings, and, Church remarks with a realism that leaves no doubt as to accuracy, “a doleful, great, naked, dirty beast he looked like.”<sup>1</sup>

The death of Philip (August 12, 1676) marks with sufficient practical precision the permanent triumph of the white man in New England. He had met his bronzed and haughty rival upon the narrow causeway of racial incompatibility, and the rival had gone down before him. In the particular case of Rhode Island, the decimation of the Narragansetts, effected by the Connecticut troops in the summer of 1676, removed the main source of aggression upon the west, and now the elimination of Philip and the Wampanoags by Church and the forces of Plymouth accomplished a like result upon the north and east.

Annawon, Philip's chief captain and an old councillor of Massasoit, escaped at the time of the destruction of Philip, but about September 11th he was adroitly surprised and captured by Church in Squannakonk Swamp in Rehoboth. During the night following the capture, as Church lay awake watching his formidable prisoner, the latter, who had not been bound, arose in the moonlight,

<sup>1</sup> Church (Dexter's ed.), p. 144 *et seq.* Church adds to the foregoing that he ordered Philip to be beheaded and quartered, and that he gave the head and one of the dead sachem's hands to Alderman, who shot him.

and stalking into the covert, returned with a bundle, which he, upon his knees, proceeded to lay open before his enemy. It contained the regalia of the dead Sachem of the Wampanoags. There was, first, a belt of wampum nine inches broad, "wrought in various figures and flowers, and in pictures of many birds and beasts," and so long that when hung upon Church's shoulders it touched his ankles. Then there was a head-dress of wampum with two streamers at the back, and a breast-piece terminated with a pendant star. All of these articles were edged with red hair obtained, according to Annawon, from the Mohawks. Further articles were two horns of glazed powder and a red cloth blanket. "Great Captain," said Annawon to Church, "you have killed Philip and conquered his country, . . . and, therefore, these things belong unto you." Church took the spoil and deposited it with the Governor of Plymouth, who, in turn, on June 26, 1677, sent the whole, described as Philip's "crowne, his gorge, and two belts," to King Charles II.<sup>1</sup>

The war over, the Narragansetts in numerous bands surrendered themselves to the English at Providence, upon Conanicut Island, and at Newport. The sentiment of the times did not discountenance the selling of captives—particularly of barbarous ones—into slavery, and such treatment was ruthlessly meted out to the Wampanoags by Plymouth and Massachusetts. Even the wife and son of Philip were sold for transportation to Cadiz

<sup>1</sup> Church (Dexter's ed.), p. 171 *et seq.*

or the Bermudas, after the Rev. Samuel Arnold of Marshfield and the Rev. John Cotton of Plymouth had given their priestly verdict that, *salva republica*, the son might be adjudged to death, as had been the children of Saul, Achan, and Haman.

But it will be remembered that it had been resolved by Rhode Island — and in this very likely Quaker influence is to be traced — that no Indians were to be made slaves; so the Ishmaelite colony (at least in Providence) contented itself with ordaining, on August 14th, that all Indian captives under five years should be simple bondmen till thirty; all above five and under ten, till twenty-eight; above ten and under fifteen, till twenty-seven; above fifteen and under twenty, till twenty-six; while such as were above twenty and under thirty were to serve eight years; and such as were above thirty, seven years. The average price of a bondman was about thirty-two shillings. Some, however, sold for twelve bushels of Indian corn, some for two pounds ten shillings in silver, and some for one hundred pounds of wool. Roger Williams, it may be remarked, was active in effecting sales, and was mentioned first upon the list of the townsmen of Providence among whom the proceeds were to be divided.<sup>1</sup>

The ordinary captives having been disposed of by Rhode Island as bondsmen, a few of the most murderous were reserved for trial by court-martial. The court was convened on August 24th

<sup>1</sup> *R. I. Hist. Soc. Pub.*, n. s., vol. i., p. 234.

at Newport, and Roger Williams, Arthur Fenner, Randall Holden, and William Harris were among the members. Some five Indians were condemned to death, including Quinnapin the third husband of Weetamoe. Governor Walter Clarke (the Quaker), who was nominally president of the court, did not attend the sittings.<sup>1</sup>

Indeed, as already observed, the end of the war marks quite exactly the termination within the colony of distinctively Quaker rule and influence. It is true that on October 27, 1676, the Quakers rallied sufficiently to re-enact the law of 1673, exempting those of their persuasion from military service and burdens, but on May 1, 1677, this law was swept away in a stringent militia code passed at the same time with the return to power of the vigorous Benedict Arnold.

<sup>1</sup> Hough, *Easton's Relation* (appendix).

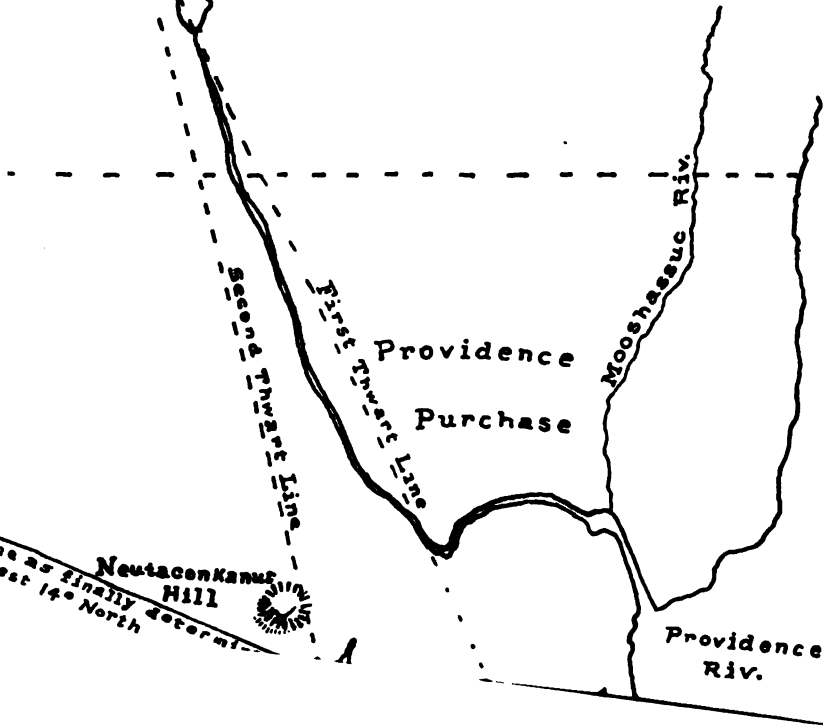




**The Existence of Rhode Island, with all  
that Existence Implied, Menaced by  
William Harris, as also by Massa-  
chusetts and Connecticut, in  
Attempts to Gain Control  
of Rhode Island  
Territory**



Head of Wamsquasset  
as fixed by Arthur Fenner



Neutacunkus Hill  
line as finally determined  
West 14° North

Providence Riv.



## CHAPTER XIV

### WILLIAM HARRIS AND THE PAWTUXET PURCHASE— A XVII. CENTURY PIECE OF LITIGATION

HAVING brought the story of King Philip's War to a conclusion, it now behooves us to recount a series of events which, beginning at Providence in 1660, was interrupted by the war in question, and culminated in something very like tragedy in 1681.

Between the years 1660 and 1678, William Harris—with whom we have already formed a somewhat intimate acquaintance—maintained within the jurisdictions of Rhode Island and the United Colonies actions at law against the towns of Warwick and Providence.<sup>1</sup> These suits were based

<sup>1</sup> Besides bringing suits against the towns of Warwick and Providence, Harris became involved in serious litigation with individuals. He charged trespass upon John Harrud, Roger Burlingame, and Thomas Ralph; upon John Towers; upon Edmund Calverly, James and John Sweet, and their associates. The case against Harrud was attended with great bitterness, the defendant resisting execution gun in hand. On July 26, 1669, Edmund Calverly wrote to Governor Benedict Arnold that he had heard that "William Harris [had] of late obtained to have a law made that by execution John Harrud [should] be dispossessed of the house he now dwells in." He asked, therefore, that Harris be kept away from Mashantatuck [Harrud's home], "to stop manslaughter, if not bloodshed and murder, on the one side or the other."—*Moses Brown Papers* (R. I. Hist. Soc.), vol. xviii.

upon the claim that the corporations defendant withheld from Harris lands within the Pawtuxet purchase which belonged either to him or to his partners and co-proprietors. The importance of the litigation for the participants lay, it is needless to observe, in the immediate outcome; for us, it lies in the disclosure afforded of moral and governmental conditions, and in the bearing sustained (more especially indicated in Chapter XV.) upon the territorial relations between Rhode Island and Connecticut.

On May 17, 1659, the Rhode Island General Assembly made an order, "that Providence should have liberty to buy out and cleare off Indians within the boundes of Providence as expressed in the towne evidence, and to purchase a little more in case they wish to add, seeing they are straytened, not exceeding three thousand acres joyinge to their township."<sup>1</sup> This order was probably the result of an application put forward in the town's behalf by or through Roger Williams and his friends.<sup>2</sup> It, however, as appears from its language, did not specifically authorize these men, or any others, to take action for the town; the right of the latter to decide whether it would take action at all, and if deciding to act, to select its own agents, was fully recognized.

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 418.

<sup>2</sup> "In my Testimonie I have declared that . . . upon my Motion paymnts were given by us . . . for in land Enlargemnts, according to leave granted us by ye Gen Court upon our Petition."—Roger Williams in his letter to the Court of Commissioners, Oct. 18, 1677. *Narr. Club Pub.*, vol. vi., p. 390.

But whatever the town's intentions at this time,<sup>7</sup> William Harris promptly anticipated them by procuring in quick succession from the sachems Kachanaquant, Mausap or Pessicus, and Neneke-lah, brothers of Miantonomi, and from the sachems Scuttup and Quequaquenuet, grandsons of Canonicus, deeds (three in all) which added to the township of Providence—including the Pawtuxet portion owned by the Harris partnership—not “three thousand,” but more than three hundred thousand, “acres.”<sup>1</sup> And these deeds were most cleverly drawn. They did not purport to be new conveyances at all. They assumed merely to be in confirmation—explanatory confirmation—of the words: “up the streams of Pawtucket and Pawtuxet without limits for our use of cattle,” inserted in 1639 in the original deed to Roger Williams.<sup>2</sup> In fact, so clever was the whole transaction

<sup>1</sup> *Prov. Rec.*, vol. v., pp. 297, 300, 303. The first action by the town of Providence under the order of the General Assembly was taken on April 27, 1661, and consisted merely in appointing a commission “to Treat with several Indians which Lay clayme unto some percells of Land within the boundes of our plantation. And Labour to come to a composition with those Indians about those Landes to passe away all the claime or colour of claime which they doe Lay to the same unto the inhabetantes of the Towne.” The members of the commission were Roger Williams, Thomas Olney, Sr., John Brown, John Sayles, and Valentine Whittman (*Prov. Rec.*, vol. iii., pp. 2-3). This commission procured three deeds from as many sachems, not “confirming” but conveying outright the property of the grantors in various tracts near Wayunkeke [in South Smithfield] and the hill of Neutaconkanut (*Prov. Rec.*, vol. v., pp. 284-286). The sum expended in this transaction (including what was paid to Alexander and Philip, sons of Massasoit) was “near two hundred and fifty pounds.”—*Narr. Club Pub.*, vol. vi., p. 390.

<sup>2</sup> There can, I think, be no doubt but that this clause, when inserted, meant to both whites and Indians what Roger Williams (who witnessed it) always insisted that it did, namely, that the town “being shortened in



that—influenced by it—Providence, on March 26, 1660, ordered its western limits fixed at twenty miles west from Fox's Hill, "according to Caujana-quanettes grant"<sup>1</sup>:

The town having thus—despite the colony—been extensively enlarged, it was demanded by Harris that the dividing line between the Providence purchase and the Pawtuxet purchase should now fully and finally be laid down. There was no dispute as to the general course which the line

bounds by the sachem [Canonicus] because of [jealous] Indians about us, it might be no offense if our few cows fed up the rivers where nobody dwelt and home again at night." It is therefore evident that deeds procured upon the understanding that they merely confirmed the original grant, conveyed no greater interest than did this grant, an interest which was a simple license or, as Williams calls it, "courtesy"—not even an easement.—*Narr. Club Pub.*, vol. vi., p. 390.

It is the mere "courtesy" character of the postscript to the "towne evidence" that has led Mr. Sidney S. Rider (*Hist. Tract No. 4*, 2d Ser., pp. 40-42) to the conclusion that that part of the "evidence" embracing the grant of the Pawtuxet lands is a forgery. His argument may thus be summarized: The original document, as now preserved, does not contain this grant; it, however, does contain the postscript; the latter fact makes it clear that the document never did contain the Pawtuxet grant, for that grant embodies in the form of an absolute gift what the postscript embodies in the form of a simple license to use, and it is not conceivable that, had the grant been in the document, a postscript actually curtailing it, while professing to enlarge it, would have been admitted. Mr. Rider urges his interpretation with much force and brings to its support a great many collateral considerations, but there seem to be at least two fatal objections to it: one that Roger Williams himself, who certainly knew the facts in the matter, always treated the Pawtuxet grant as valid within the limits intended by the sachems, and accepted a one-thirteenth part thereof (Rider's *Hist. Tract No. 14*, p. 58; *R. I. Hist. Soc. Pub.*, n. s., vol. viii., p. 157); and the other, that if the Pawtuxet grant be construed (as in this chapter) as never meant by the sachems to include anything west of the Pachaset River, then the grant and the postscript are in perfect accord,—the former embracing territory to the Pachaset, and the latter, by way of "courtesy," permitting a use for cattle "up streams without limits."

<sup>1</sup> *Prov. Rec.*, vol. ii., pp. 125, 127.

ought to take. The stipulation of the year 1640, that it be "on an even distance between the two fresh rivers Pawtuxet and Wanasquatucket," was concurred in by all. Indeed, several attempts had already been made by Providence to have the line run as thus indicated. But somehow up to 1670 it got no farther west than the limits of the town as determined between Miantonomi and Roger Williams in 1638.<sup>1</sup> What was the reason of this?

It was simple. Roger Williams knew William Harris well. He had not forgotten that when it was sought, in 1637-38, to make Providence at once a missionary station for Indians and a haven of refuge for persecuted whites, William Harris was the man who, himself highly acquisitive, had,

<sup>1</sup> These bounds were comparatively restricted. Roger Williams in his letter to John Whipple (Rider's *Hist. Tract No. 14*, p. 27), alludes to them as "those short bounds by reason of the Indians then at Maushapog, Notakunkanet and Pawtuckat." Again he speaks of "our known bounds set us in our grand deed—to wit W [ ] and from thence to Pawtuxet and Pawtuckut and therefore far from reaching to Pachasit much less beyond it to Mesh [ ] etc." (*R. I. Hist. Soc. Pub.*, n. s., vol. viii., pp. 156-158). Finally, in a letter to Thomas Hinckley, he mentions "those knowne stated bounds fixt us in our grand Original deede . . . which at the furthest the Sachims would never suffer to extend beyond Paupauquunnupog far short of W. Har: his being at Pauchasit."—*Ibid.*, p. 158.

As tending to show that the "Pawtuxet purchase" could have extended on the west no farther than the Pachaset River, the following statement made on Oct. 25, 1679, by Stephen Arnold is highly important: "Sacononoco's land was on the north side of the river, and from the salt water on the East to Pachaset river on the West was called by the Indians Pawtuxet lands, and the Indians Pawtuxet Indians. And further west of Pachaset river is a place that runs down to Pawtuxet lands called Toskeunke [Pontiac]."—*William Harris Papers* (R. I. Hist. Soc. MSS.), p. 94. Furthermore, it was the positive statement of Stukeley Westcott, made in March, 1659-60, that Miantonomi personally declared that "he never understood [the bounds of Providence] to be further than Pachaset river."—*Ibid.*

by working upon the acquisitiveness of those about him, overthrown the project. Nor had he forgotten the dangerous sullenness and chagrin (so dangerous as in his view to be treasonable) exhibited by Harris in his late essay upon government. Williams had not forgotten these things because, although by nature — in all that touched not what he deemed the vitals of morals and religion — of all men most charitable, long suffering, and forgiving, he was equally by nature — in all that did touch these vitals — of all men most uncompromising and stern. Accordingly, when Harris procured the confirmation deeds, whereby three hundred thousand acres (and more) were added to Providence at the expense of the brothers of Miantonomi and of the grandsons of Canonicus,<sup>1</sup> and procured the establishing of the western line of the town at twenty miles from Fox's Hill, the eyes of Williams were upon him; and, by the time Harris was ready to push forward the work of running the dividing line between Providence and Pawtuxet to

<sup>1</sup> "W. Har. . . . cried out on by ye Barbarians for such monstrous Cheating & Stealing of their Countrey."—Letter to John Whipple, Rider's *Hist. Tract No. 14*, pp. 44, 45.

The confirmation deeds were given for no express consideration. In two of them, however, it was provided, "it shall be lawfull for those Indians [subjects of the Sachems, the grantors] to receive som recompence for their removeing." We accordingly find it of record on April 27, 1660, that "this Towne shall give unto Caujanaquants Son Yáuaúquaomitt 30 shillings in peage, provided hee Sett his hand unto the deede which his ffather Subscribed in owneing his ffathers Act." We also find the following: "Ordered that John Sayles and William Harris shall state the matter concerneing the payment of the money Lately disbursed for the confirmation of our purchase and . . . shall Levey what every man shall pay for his share."—*Prov. Rec.*, vol. ii., pp. 126, 127.

the twenty-mile limit, those eyes were kindled in righteous anger.

As early as October 27, 1660, the founder of Providence had begun to show signs of uneasiness. On the date named he had addressed a letter<sup>1</sup> to the town proposing, in view of dissatisfaction among the Indians, to withdraw from the existing plantation and to start a new one at Wayunkeke, in what is now South Smithfield, based upon a thoroughly satisfactory and honest title. And it is interesting to observe that the new settlement was to be provided with that which, chiefly through the instrumentality of Harris, had been eliminated from the old, to wit: land reserves for the assistance of those "distressed for conscience." The town — very wisely no doubt — declined the proposition, and it was not again heard of; but Williams did not abandon the field. If the work of the Pawtuxet leader, in seizing upon a vast tract and converting it to the uses of himself, his partners, and the town, could not be undone, Harris, as a Pawtuxet proprietor, might still to a great extent be kept from the enjoyment of his share in the ill-gotten gains, by the town's refusing to run the Pawtuxet line westward beyond the approximate original town limits; which would be tantamount to a refusal to set off to the Pawtuxet proprietors their distinct property. And in fact this is what Williams attempted, and what, by the help of coadjutors and of circumstances, he practically accomplished.

<sup>1</sup> *Narr. Club Pub.*, vol. vi., p. 314.

At the time now before us (1667-70) Gregory Dexter, Williams's old London publisher, and Arthur Fenner, were both prominent in Providence town politics. The former was by nature and London training much of an agitator.<sup>1</sup> The latter was a forceful, energetic man of military bent, who knew well his own interests. With these men, Williams, by reason of at least temporary identity of views, formed a tacit alliance against Harris in the matter of the Pawtuxet line. The three-cornered partnership was somewhat peculiar, but highly effective, for, while Dexter and Fenner, particularly Fenner, did the practical work, Williams—who, when roused on a question of principle, could flame and thunder like a Hebrew prophet—supplied the inspiration.

The town meeting was chiefly the arena of contest, and its sessions were aptly likened by Williams himself to the quakings of a man with a "tertian ague."<sup>2</sup> Indeed, if we may be permitted to assume that what was written about William Harris at this time, and shortly afterwards, was also stated to his face in the public debates,—as

<sup>1</sup> Dexter is chiefly famous as the author of "An Instrument or Sovereign Plaister," which, under the motto, *Salus Populi Suprema Lex*, proposed to "heale the many fold present soares in this Towne or plantation of Providence which doe arise about lands . . . least this Towne should fall into Grivouss sores or Gangrenes to the hurt of the whole Colony." The course advocated was a strict observance of the original town bounds in the allotment of lands, etc.—*Prov. Rec.*, vol. ii., p. 72.

<sup>2</sup> "Every other day, yea sometimes every meeting, we were all on fire & had a terrible burning fit ready to come to blowes about our Lines, about our Lands," etc.—Letter to John Whipple, Rider's *Hist. Tract No. 14*, p. 37.

there can be little doubt that it was—he was the most roundly berated man in the colony. In the mouth of Williams, he was “a self-seeking, contentious soul who hath long afflicted this town and Colony”; and his interpretation of “up streams without limits” a monstrous Diana with which he had fallen in love,—“such a Cheat [in the estimation of the Indians] as stunck in their pagan nostrils. It is a terrible matter in mine eyes,” asserts this accuser, “that (besides ye many crys of ye English) ye cry of these barbarians, Commootin! Commootin! [lying and stealing! lying and stealing!] Should knock at Heaven’s gate against us. . . . What God can that be, say ye Indians, that is followed by such extortioners Cheats and liars.” And finally: “If all be divulged that may be produced and proved there was hardly ever in New-England William Harris his equal for monstrous evils in land business.”<sup>1</sup>

And these words of the founder of Providence were supplemented with emphasis, if not eloquence, by the Providence town meeting under the leadership of the gallant Fenner. On June 10, 1667, the town officially through its council board, of which Fenner, as Assistant, was chairman, issued a circular letter to Warwick, Portsmouth, and Newport bearing the significant heading, “The ffirebrand discovered.” Moreover, the letter in question was followed, on August 31, 1668, by another (in the well-known hand of Williams and

<sup>1</sup> *Narr. Club Pub.*, vol. vi., pp. 387, 391; Rider’s *Hist. Tract No. 14*, pp. 35, 41.

evidently of his composing) from the town of Providence "To ye hon<sup>rd</sup> Gov<sup>r</sup> & Councell at Newport on Rode Island." In this the Government is reminded that

"Since yt time [when Harris was railing at law and magistracy], upon hope of a great Lordship of Land, he hath tackt about, lickt up his vomit, ador'd (like Saul) as some have told him, ye Which at Endor, ye Laws and Courts & Charters which before he damned; & turn'd his former traitorous practices into 10 years veratious plaguing & tormenting both Towne & Colony & ye whole Countrey, with Law Suits & restless Fires & Flames of Law Contentions."

Wherefore it is prayed that

"countenance & Assistance [may be given] to o<sup>r</sup> Gen. Solicitor to proceed legally with Wm. Carp. Wm. & Tho. Harris for their treacherous speeches (& We suspect Actions) agst his Majesties gracious Charter & ye Liberties & Government & privileges which it hath pleased God & ye King (to ye Envy & Astonishment of all our Neighbors) So wonderfully to bestow upon us."<sup>1</sup>

It was not till 1671 that the foregoing letter was given attention by the Rhode Island Government. The letter which preceded it, however (that of 1667), was more promptly acted upon. On July 17, 1667, Harris was dismissed by the General Assembly from the position of Assistant and subjected to a fine of fifty pounds. The step thus taken showed convincingly that affairs with Harris had reached a critical stage. Through force of

<sup>1</sup> *Prov. Rec.*, vol. xv., pp. 121-124. The above is noteworthy as containing a strong, though veiled, allusion to the negotiation which (as will appear in Chapter XV.) Harris was at this time secretly and unpatriotically, to say no worse, carrying on with Connecticut for the territorial dismemberment of his own commonwealth.

adverse public opinion in Providence — an opinion which the General Assembly had countenanced — he was deprived of all prospect of extending the Pawtuxet line westward to the new bounds of Providence township. The case, therefore, was desperate, and something must be done. A little reflection suggested to Harris what that something was — it was an appeal directly to the King.

It is not improbable that the royal intervention was first solicited by the Pawtuxet leader from this side of the Atlantic. If so, the matter must have been put by, for it was not until 1675 that Harris personally appeared in England to urge his cause.<sup>1</sup> He then, through the mediation of Fleetwood Shepard of Privy Garden, was enabled to submit to the Privy Council a petition relating the purchase of Pawtuxet from the Indians in 1638; the attempt of the Arnold coterie, under the act of submission by Pumham and Sacononoco, to oust therefrom their co-proprietors in 1643; and concluding with the prayer, that

“your Majesty would graciously please to command the Governors of the four Collonyes and their deputies in New England to take care that speedy justice be done your petitioner and partners by hearinge the cause themselves or

<sup>1</sup> Harris had made a trip to England in 1664, arriving just as the commissioners, Carr, Cartwright, and Maverick were leaving for America. His intention had been then “to supplicate the King,” but in view of the departure of commissioners charged to adjust difficulties in the colonies, he had foregone his intention and returned home.—*Cal. Brit. State Papers* (Colonial), 1675-76, p. 273.



appointinge such as are just and able men to hear the same, and together with an upright jury equally chosen out of the respective Collonyes to determine all differences concerninge these landes of Patuxet."

This petition, on August 4, 1675, was made the basis of a royal order to the Governors of Massachusetts, Plymouth, Connecticut, and Rhode Island. Harris returned home in the autumn, but only to find the colonies lost to every consideration not directly involved in the war with King Philip then already blazing forth.<sup>1</sup> With the cessation of this contest, and the partial restoration of Rhode Island affairs, the Pawtuxet leader (June 12, 1667) wrote to Governor John Leverett at Boston, requesting him to proceed in the matter of choosing commissioners and jurymen, as provided in the royal order of nearly two years before.

Leverett communicated with Governor Winslow at Plymouth, and in a short time commissioners and jurors had been selected. The court met in Providence on October 3, 1677, at the house of Thomas Field, and the case went to trial on the 17th day of November. What testimony, if any, was offered or introduced we do not know; nor do we know what argument was presented in behalf of the defendants. Indeed, the whole cause on

<sup>1</sup> Governor Leverett of Massachusetts, on December 18, 1675, acknowledges receipt to Sir Joseph Williamson of the King's command, dated August 4, 1675, "referring to Mr. Harris of Patuxet . . . which shall be attended to as soon as the providence of God shall give opportunity by restoring peace, for such is the state of the plantations in New England by reason of the Indian natives rising up that Mr. Harris saith he must wait a more calm season for his business."—*Cal. Brit. State Papers* (Colonial), 1675-76, p. 317.

their part seems to have been loosely and inconclusively managed. The Providence committee (barring Fenner) was strong in ethics, politics, and rhetoric, but very weak in law; and Fenner, who was otherwise efficient and practical, knew no more law than his associates. The cause of the Pawtuxet men, on the contrary, was managed well. Harris was both a fair amateur lawyer<sup>1</sup> and an excellent business man, and he made the most of his qualifications. Then, besides, he had a great personal stake in the issue. Success meant a princely estate worth much in the present and to himself, but vastly more in the future and to his descendants.

The jury, on the 20th and 21st of November, 1677, returned verdicts, respectively, against the town of Warwick, in the sum of twenty pounds, against the town of Providence in the sum of two pounds, and establishing title in Harris to all the lands in controversy. Moreover, on November 24th, an order of court was issued to Mr. Thomas Olney and Mr. John Whipple, Assistants in the town of Providence, directing them to summon the freemen of the town to make arrangements for running "a Lyne Equally Between pawtuxet River and Wanasquatucket River till it meet with a

<sup>1</sup> The following were among the books owned by Harris at the time of his death: Dalton's *Country Justice*, Richard Brownlow's *Declarations and Pleadings*, *The Law's Resolution of Women's Rights*, *The Office and Duty of Executors*, *The Layman's Lawyer*, *Justice Restored*, *Expositions of ye Termes of ye Law* and *The Law Concerninge Juries*. Besides the foregoing, Harris owned a copy of Pulton's *Collection of Sundry Statutes*, A. D. 1661, which is now in the Rhode Island Historical Society's Library. Its fly-leaves bear notes in Harris's hand concerning the Pawtuxet case.

thwart Line from the head of Wenasquatucket River directly to pawtuxet River according to the verdict of the jury in the case against Providence and the judgment of the Court there."

The conclusion of the trial before the Court of Commissioners was no doubt regarded by William Harris as the conclusion likewise of his troubles over Pawtuxet. It in fact was only the beginning. For more than thirty years longer, and after both William Harris and Roger Williams had been summoned to their grand account, the case of Pawtuxet remained, as we shall see, to vex the deliberations of the men of Providence.

In thinking his victory before the commissioners the end of his troubles, Harris made the mistake of underestimating the pertinacity and resourcefulness of Arthur Fenner, and of the representatives put forward by Warwick — Randall Holden and John Greene. First with regard to the course taken by the Warwick men. No sooner had a verdict been returned against the town than its representatives took ship for England.<sup>1</sup> Arriving in due season in London, they made complaint to the King in Council that the commissioners, by whom Warwick

<sup>1</sup> Harris charged Roger Williams with having "written to his friends in England" to befriend the agents of Warwick, "in particular to ye Lady Vane who promised him such curtesy." He also said: "But when ye Warwickeds (to say) their agents shall as they will suggest disloyalty of their countrymen & flatter ye King then it will be good to show a book by their great prophet Gortone dedicated to Cromwell wherein he commendeth his dealing with ye King and sayth he is a mirror for after ages to looke into."— *William Harris Papers* (R. I. Hist. Soc. MSS.).

had been mulcted in damages and deprived of territory, were—in so far as drawn from the United Colonies—disqualified to act by reason of the long-standing enmity of the Puritans toward Samuel Gorton and his company, and accordingly asked that the judgment against Warwick be suspended, and that an independent royal court of judicature be erected in New England to hear the cause instituted by Harris, and all other causes of like magnitude. The request for the erection of a royal court was not complied with, but, on January 2, 1678–79, an order was issued that for the present the inhabitants of Warwick should be left undisturbed in their possessions. On July 9th following, it was further ordered that the case of Harris against the town of Warwick should be reheard before the Governor and magistrates of New Plymouth.

Reverting now to the course pursued by the men of Providence after the adjournment of the Court of Commissioners in November, 1677, we find Arthur Fenner, actively supported by Dexter and Williams, devoting his energies to obstructing process of execution under the verdict. And it is worthy of remark, that if heretofore the ingenuity and tergiversation had been on the part of Harris in procuring the confirmation deeds and in putting labored constructions upon the "town evidence," it was now on the part of the Providence representatives in construing the language of the jury and court with respect to the Pawtuxet line.

By the verdict the town was ordered to run,

or rather extend, this line equally between the Wanasquatucket and Pawtuxet Rivers "till it meet with a thwart line from the head of the Wanasquatucket directly to the Pawtuxet." The first and controlling step to be taken, therefore, was to find the head of the Wanasquatucket; and this being left to the town gave to the practical mind of Fenner an opportunity which it did not fail to improve. On December 24, 1677, the town appointed a committee, consisting of Arthur Fenner, Stephen Arnold, and William Hopkins, to find the head of the stream in question. The committee set to work, and on April 17, 1678, reported that the head had been found at a point where the main stream was joined by certain tributaries, not far from the source of the Pachaset. This report was promptly accepted, and at the same time it was "voated by ye Towne that mr fenner procure John Smith the surveyor to Come to this Towne to runn the lines according to the verdict of the Jury and the Courts Exceptence thereof." It also was wisely "voated," that Captain Fenner and two others "goe with John Smith to runn the lines" aforesaid.

The result of the surveying expedition undertaken by Smith and Fenner was that two "thwart lines" were run from the head of the Wanasquatucket as determined by the town—one past Mashapaug to Papaquinapaug, and the other past Neutaconkanut Hill to the mouth of the Pachaset. The first line (as may be seen by a glance at the map at the beginning of this chapter) made an

angle with an east and west line—the general course of the Pawtuxet—of about 112 degrees, and cut the Pawtuxet men out of a considerable section of the territory generally conceded to them. The second line made an angle of about 122 degrees, and, by reason of following substantially the course of the Pachaset, allowed to the men of Pawtuxet not an acre more than the conceded territory. Harris, of course—who did not at all enjoy the application of his own ingenious methods to himself—vigorously protested against both lines, pointing out that the head of a stream was properly, and in law (35 H., 8, 10), “ye old springs and antient heades,” and that a “direct thwart line” meant, both technically and in common parlance, a line drawn at right angles to its base and not one drawn at an angle of either 112 or 122 degrees.

Thus the matter stood when, on April 6, 1678, Harris, in a fit of weariness, proposed submitting the question as to the head of the Wanasquatucket to the arbitration of two impartial surveyors. The proposal was not accepted, and on April 15th the Pawtuxet leader applied to the court for a reconvening of the jury in the case against Providence, to explain their verdict so far as the same related to the thwart line to be drawn from the head of the Wanasquatucket directly to the Pawtuxet. The application was granted and, after an adjournment (occasioned by the illness of one of the Connecticut commissioners) to June 18th, and another offer by Harris to submit the question as to the head of the Wanasquatucket to arbitration,

the jury were summoned to reconvene at Providence, October 1, 1678, to explain their somewhat delphic utterances.<sup>1</sup>

All of the jurors responded, and the parties litigant were reheard upon the subject of the "thwart line." The three Rhode Island jurors refused to qualify their verdict, while the other nine had to be sent out twice before they were able to make return, that by the verdict "they meant and did intend a square line from the head of Wanasquatucket river to Pawtuxet, which sd line runneth nearest W. S. W. from the head of Wanasquatucket river to Pawtuxet river which comes from Penhungansit pond, as appears by the maps given into his Majesty's Court." Furthermore, the court itself drew up a report to the King, stating that while "they humbly conceived that the line, as explained by the nine jurors, was the one which by the verdict ought to be run," still, inasmuch as one commissioner (from Connecticut) had not been present at the rehearing, and two others, who were present, had refused afterwards to consent to the issuing of execution, and two others had expressed hesitation about consenting, the court as a whole had decided to wash their hands of a difficult matter and leave all to his Majesty's superior wisdom.<sup>2</sup>

<sup>1</sup> In the summons to the jurymen issued June 19, 1678, the court cite the statute of 13th Edward I., 25, as authorizing justices "to send for the same jury, upon occasion, that hath before given verdict," and this even after judgment granted.

<sup>2</sup> Copies of papers in British State Paper Office relating to R. I.—J. Carter Brown Library — vol. 1675-1699.

In thus causing the court to fall at odds regarding the thwart line, Fenner achieved a success by no means inconsiderable. Execution under the verdict against Providence was, for the time being at least, rendered impossible. Harris, distinctly perceiving this, took prompt action, and, on December 8, 1678—having first executed a power of attorney to his children, and made his last will—set sail the third time for England. He arrived in London too late to frustrate the efforts of Holden and Greene toward securing a rehearing in the case against Warwick, but succeeded in obtaining from the King in Council an order, dated July 9, 1679, upon the Governor of Rhode Island (John Cranston) commanding him to see that the verdict against Providence was forthwith executed.

Harris reached home with his order in September. Early in October the Warwick rehearing went in his favor, and by November 24th John Smith of Newport had been duly commissioned and sworn a special marshal, to put Mr. William Harris in possession of such of the Pawtuxet lands as were withheld from him by the town of Providence. But just here a difficulty arose. The Pawtuxet line had not as yet been extended to the westward of the Pachaset River, and Harris, after starting to accompany the marshal, afraid lest, in attempting to point out the lands sued for by himself and his partners in this region, he should make some embarrassing *faux pas*, turned suddenly back, and virtually concealed him-



self during the remaining time (some six or seven days) that the marshal was seeking to discharge his duty.<sup>1</sup>

The story of the Pawtuxet litigation now rapidly nears its end. When John Smith the marshal, in his efforts to find Harris the complainant, had applied successively to Howlong Harris and to Mistress Harris, he had been told by the one that the object of his search was in the woods; and by the other that he had gone to Narragansett; and both statements were true. Harris had gone through the woods to Narragansett to collect affidavits and other material with which to strengthen the claim of Connecticut (a colony whereof he was now the hired attorney) to the Narragansett country, and this collecting tour he had undertaken for the reason that he had decided to make a fourth journey to England in order to get something more explicit and favorable from the King about the Pawtuxet lands and the running of the Pawtuxet line.

Harris set sail very secretly from Boston, in the ship *Unity*, about Christmas time, 1679. His

<sup>1</sup> This act on the part of Harris is the more suggestive from the fact that in a communication to the government of Rhode Island, dated November 21, 1679, he had said: "If ye said officer come to the house of William Carpenter (of and at Pawtuxet) there will I God giving me ability meet the said officer, with Thomas Field and Nathaniel Waterman, we the said persons having eight parts or rights of that land of Pawtuxet sued for . . . which said lands we shall show to the said officer when sent to give us possession thereof; . . . and (if our adversaries doe not hyd themselves) we will show them to the said officers to satisfy the cost and damages."—Rider's *Hist. Tract No. 4*, 2d Ser., p. 98.

hopes were no doubt high ; he had, despite the gallant defence made by Warwick under the leadership of Holden and Greene, and despite the equally gallant defence made by Providence under the resolute Fenner and the Isaiah-tongued Williams, driven his adversaries nearly to the wall. He already looked upon Pawtuxet, west as well as east of the Pachaset, as the private estate of himself and partners, for in his will, executed as we have seen only the year before, he speaks almost with affection of the lands which he had "obtained," which by "great diligence" he had "kept and defended," and which he was devising to his family strictly entailed unto the fourth generation. But alas for human hopes ! On the 24th of January, 1680, the good ship *Unity* was captured by a Barbary corsair, and William Harris, together with Daniel Updike of Narragansett, John Chapman of Boston, a son of Major Mason, and the rest of the ship's passengers, were rudely taken to Algiers, where, in February, they were arrayed in the open market and auctioned off respectively to the highest bidder.

Yesterday a territorial magnate and to-day a slave ; such was the fate of William Harris. Nor was his slavery any mere nominal affair. It was indeed the practice of the Turks at this period to permit their captives to be ransomed, but it was likewise their practice to inflict stripes, and provide a sustenance of bread and water, by way of prompting the captives to make the ransoming process more speedy, and the amount greater.

"The English Consul saith," wrote Harris in nervous haste to Francis Brinley on April 4th, "the sum to set me safe on the Christian shore is eleven hundred ninety and one pieces of eight (to say) dollars and 5 Royalls, and fifty dollars to London. It is 800 miles and all go in companies with a guide and such danger at one place, forced to have and pay a Troop. . . . I pray you therefore to stir up both parties to send bills of the said sum and give the best advice you can, and that it come in time, and as much sooner as they can, for till then I cannot go—to send by the first ship, and bills also by the second least the first should be took. If the sum fail, or the time, it is most likely to be my death;—for then I fall permanently into the cruel man's hands that hath like to kill me already."

And on April 6th the aged prisoner (he had reached seventy) wrote again—this time to his wife and children:

"If a Patroone master please he may kill his slave and only pays the King's house, their sum they are to have. Upon . . . which consideration (and more than I can tell you) and your Unsettledness, and the matters I am engaged in, and what my enemies would say if I should die, and judge me and my just cause evil, if I about it should be killed with beating, . . . forced I was to promise 800 dolls . . . Therefore show this to Mr. Brinley and Mr. Richeson [of those interested in placing the Narragansett country under Connecticut] whom I pray to mind my danger, and that they both stir up the gentlemen that employed me that [they] do not leave me in Argier, and rather than so they should do, when I come home I will reason with them and pay them their demand without putting them to suit, or desiring arbitration, and assure the payment in my lands and all else that I have. . . . And I assure them that I have suffered so much here already that if I should be offered all that is in this world I would not undergo again the said conflicts and dangers, and I pray God to strengthen me that I hold out. . . . My papers being

lost if I live to come to London shall lack. Tell John Whipple all the affidavits and protests against the only pretended executions I pray these may be sent to the sign of the peelee in Wentworth Street near Spittlefields in London to John Stokes living there to remain there for me."

On the 17th of April, Harris appealed for aid in a letter to the Governor of Connecticut. On May 10th, he wrote to his wife, gleefully announcing: "The English have taken five of the Turk men of war and thereby have taken many Christians that the Turks had with them; and so they set free, and taken many Turks, and they will serve to redeem Englishmen. And the Turks are much afraid, and no doubt will make peace when the English fleet comes on easy terms, and we hope the fleet will shortly be here." On August 22nd, he wrote once more to his wife: "I still find you can bear me witness to the great vexation of Roger Williams and his party and the Warwickers and my deliverance by God's mighty hand out of theirs, and how they insulted and exalted themselves; and by God's own hand immediately and manifestly ashamed: though I mention no more yet we know many more of like sort. But with me trust in God and we shall see his deliverance. . . . My tyrant, called pateroone, will have Eight Hundred dollars, and to their king's house and other fees, in all will amount to almost twelve hundred dollars (to say) three hundred pounds—but hope a peace and then a general redemption."<sup>1</sup>

<sup>1</sup> Captivity letters of Wm. Harris—G. T. Paine Collection.

In the letter of April 6, 1680, Harris wrote: "I was almost sinking on musing with these things, and my dead Susan and Tolleration [the lat-

The ransom for which William Harris so earnestly hoped and prayed was effected in the winter of 1680-81. The money required (£459 17s.) was, it would seem, advanced in part by Captain Richard Deane of London—the old-time friend of Providence Plantations and of John Clarke—and in part by the colony of Connecticut, but in the end was furnished in full by the latter.<sup>1</sup> The

ter killed by the Indians in the war with King Philip] but it pleased God to turn my muse another way and recover me. And for the present I thank God I am very well in health and yet generally live on bread and water and could eat more bread if I had it." "Since I came I saw Daniel Updike and he saith he had a plague sore and that the said sickness is here every summer and begins in May, and the last summer here died nine of ten of the English captives."

In the letter of April 17, 1680, to the Governor of Connecticut, this interesting passage occurs: "And I pray fail me not as to sum of my ransom which will come to the English Consul. Who saith 1191 dollars and 5 royalls to set me on the Christian shore. But the French Counsul saith about eleven hundred dolls hard (as they speak) will do it, *but the English Consul must not by any means know it.*"

The letter of Aug. 22, 1680, ends with an attempt at verse—a form of expression certainly not native to Harris, and pardonable in him only under the circumstances. It may, however, be said that he was quite as much of a poet in verse, if not in prose, as was Roger Williams.

"Be still my soul; leave Wife and Children all;  
Not in Algiers, but in Gods arms let fall.  
Fly thou to Heaven, rest quiet there awhile,  
Thy wife will come to thee and every Child," etc.

Harris, it seems, had solicited aid also from the British Government, for on February 14, 1680-81, William Blathwayt, Esq., wrote: "Upon the first letters I received from him and upon his assurance that 200 Dollars would discharge his ransom, I thought him a fit object of charity and therefore gave him credit immediately for 300 Dollars. . . . But the Poor man being tyred out with the ill usage of his master, imprudently enough promised a most extravagant ransom. I cannot tell upon what grounds, since many gentlemen of the best quality come off upon better terms." Blathwayt, it should be remarked, was at this time Secretary to the Privy Council.

<sup>1</sup>G. T. Paine Collection, No. 106. There would seem to have been reluctance on the part of the family of Harris to make pledges for the

recipient of this act of mercy and justice journeyed by way of Marseilles to London, where he arrived weary and broken down, and where, at the house of his friend John Stokes, in three days he died.

It is hardly necessary to add that, with the strong figure of Harris eliminated, the case of the Pawtuxet lands came to a determination not altogether favorable to the complainants. That is to say, it was settled privately that a line which with a view to settlement had already been laid down, extending from Mashapaug west, fourteen degrees northerly, to the seven-mile line, should be the Providence-Pawtuxet line of division. The lands to the north of this line, and to the west of the seven-mile line, were to belong to Providence, and to the south thereof (as far as Warwick), and to the east of the seven-mile line, were to belong to Pawtuxet.

But, even thus, the end was slowly reached. Not until February 11, 1712, and then only after a protracted series of negotiations with Providence,<sup>1</sup>

reimbursement of the men who were seeking to raise funds to effect Harris's ransom. Thus Francis Brinley wrote to Mrs. Harris from Newport, on Sept. 2, 1680: "You and yours lie under ye hard thoughts of many about it [the ransom] by your refusing to comply with those that were stirred up to lay down their monies for that end, which to me seems a great kindness. However you may take it, many others would be glad of the like proffer . . . and cannot accomplish it."

<sup>1</sup> On November 15, 1682, it was ordered at a town meeting of which Arthur Fenner was moderator, that, whereas there had been a long difference between the town of Providence and the thirteen proprietors of Pawtuxet, "the said Towne not being willing ye said difference should any longer continue," a committee of five be appointed to "adjetate & agree ye said difference." The five chosen were Arthur Fenner, Richard Arnold, William Hopkins, Edward Smith, and Thomas Olney. The same

an appeal to Governor Andros against Warwick, an order of the Queen [Anne] in Council, dated December 18, 1705 [6], upon the Government of Rhode Island, to show cause why the verdicts of November, 1677, had not been carried into effect, and a refusal by the same council on June 11, 1707, again to take up the matter,<sup>1</sup> was the case

committee was authorized to determine all differences with Warwick (*Prov. Rec.*, vol. viii., p. 120.) On January 16, 1683, the above committee made an elaborate report (*Prov. Rec.*, vol. iv., pp. 73-76), reciting, that "being thoroughly sensible of the evil effects of Discord . . . in Case it be further left unto Posteritye," they had agreed with the proprietors of Pawtuxet that "the landes belonging [to the latter should extend] as farr Westward as the seven Mile line already set by the aforesaid town, and that this line be deemed & is concluded . . . to be the thwart line direct from Wanasquatucket River to Pawtuxett River." Accordingly, on April 27, 1683 (*Prov. Rec.*, vol. viii., p. 130), the above report was accepted, and the seven-mile line ordered to be extended to the south line of Providence Plantations. Furthermore, on the 4th of May, 1689, a division of lands on the basis of the agreement of 1682-83, was reported (*Prov. Rec.*, vol. iv., p. 147). But, on July 27, 1698, the town made an order that the old Pawtuxet dividing line—the course of which had been laid down with the utmost precision in the agreement reported on January 16, 1683—but which had not as yet (according to the order) been made an actuality—be specially considered at a meeting of the purchasers and proprietors of Providence, to be held in September (*Prov. Rec.*, vol. xi., p. 43). Thus the matter rested until February 11, 1706, when Andrew Harris petitioned for the immediate running of the Pawtuxet line, as agreed upon in 1683, and the town again ordered that the line be run. (*Prov. Rec.*, vol. xi., p. 105). During 1707 (*Prov. City Hall Papers. Nos. 0649, 0650, and 0657*) two other petitions were addressed to the town—the second by the Pawtuxet men, in which the latter promise to be very reasonable. On September 20, 1708, Thomas Fenner (brother to Arthur, now deceased) presented a petition reciting the recent town orders regarding the line, from 1640 to 1682-83, and asking for final action (*Prov. City Hall Papers, No. 0668*). On July 11, 1709, and August 28, 1710, the Pawtuxet proprietors, headed by Andrew Harris, again asked for final action, plainly intimating their willingness to accept almost any terms.—*Prov. City Hall Papers, Nos. 0678, 0696*.

<sup>1</sup> "Yesterday," writes Mr. John Chamberlain, agent of the Pawtuxet men, under date of June 12, 1707, "after a full hearing before the Lords'

finally disposed of. Moreover, what caused a final disposition in 1712 was not so much the negotiations, the Andros appeal, the Queen's order, or the refusal by the council, as the fact that, about 1686, the audacious and gallant Fenner had married Howlong Harris, the daughter of the deceased William, thereby to a certain extent pouring oil on troubled waters; and that long before 1712, Fenner himself, together with Roger Williams, Gregory Dexter, and Thomas Field, had passed from the controversies of the Providence "towne meeting" to the eternal silences.

Then, too, by this time the question of the Pawtuxet lands had become merged in the larger question of the territorial integrity of Rhode Island, for an account of which there is demanded a further chapter.

Committees of the Council they were pleased unanimously to dismiss my petition in behalf of Mr. Harris and others. First because of the length of time. Secondly, because none of the parties that have this land (in possession) were summoned, for they were all of opinion that those persons who withhold and detain the lands from Harris and the rest ought to have been summoned and heard by their counsel before the Queen directs execution to be awarded to turn them out of possession . . . but after all my lawyer tells me that he fears it (a new preparation of the case) will be like dressing a cowcumber with oyle and vinegar pepper and salt, and then throwing it upon the dunghill. That is to say he doubts that when you have done all, the great length of time that this case has been depending (about 47 years) will be a stumbling block in your way never to be got over."— *Rider's Hist. Tract No. 4, 2d Ser.*, pp. 110, 111.



## CHAPTER XV

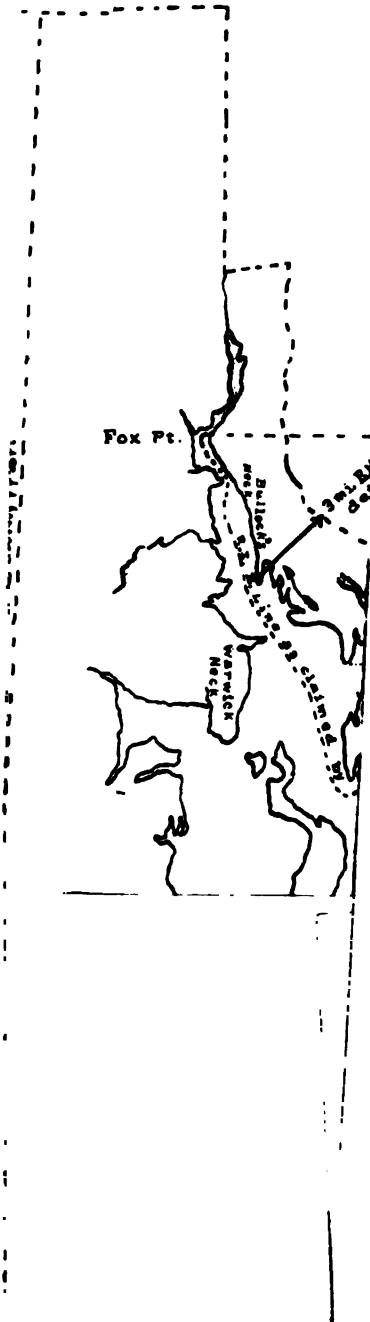
### THE STRUGGLE FOR TERRITORIAL INTEGRITY

#### I—PLANTING OF NARRAGANSETT, AND THE PLYMOUTH LINE

THE boundary disputes of Rhode Island do not, it is safe to say, fall short in the element of human interest. Personality and passion enter into them to a marked degree, saving them from monotony. In just what way the personal element asserts itself, the sequel will show. It is permissible, however, to observe that in connection with William Harris and Thomas, Lord Culpepper (whose concern in the question of the western boundary was acute), this element involves the points, respectively, of disloyalty and self-seeking; and that in connection with our old-time acquaintances Roger Williams, Randall Holden and John Greene, it involves—besides a natural antagonism to Harris—such points as able diplomacy, indefatigable zeal, and strong patriotism.

When, on March 24, 1637, Roger Williams received from Canonicus and Miantonomi the grant

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of Mooshassuc and Pawtuxet, the only chartered communities near him were Plymouth and Massachusetts. The west line of the former—the Pokánoket country and Narragansett Bay—constituted a limit to expansion on the east, and the south line of the latter—"three English Myles on the South Parte of the Charles River"—constituted a similar limit on the north, while on the west there was no barrier save the recent settlements along the Connecticut River—Saybrook, Windsor, Wethersfield, and Hartford. On March 14, 1644, the plantation of Providence (as Mooshassuc had now become)—supplemented by the plantations of Aquidneck and Warwick, and by the region south of Massachusetts to the ocean, and west of Plymouth for "about twenty-five English miles to the Pequod river and country"—was erected by patent into a single jurisdiction. The integration thus effected, however, was not arbitrary, for the circumscribing lines embraced only to the full extent the district immediately ruled and occupied by a single native people—the Narragansett Indians.

The west line of Plymouth was in certain respects a thing more indefinite than the south line of Massachusetts, and it later on—under the sinister influence of the latter colony—became a source of trouble for Rhode Island. This was true despite the fact that at first—and this in the case both of Mooshassuc and Aquidneck—Plymouth distinctly limited its claims to the westward by the east shore of the Seekonk River and of Narragansett

Bay. Still, the trouble of Rhode Island on the east with Plymouth was mildness itself compared with the trouble on the west inaugurated by Massachusetts and perpetuated by Connecticut.

In 1637 the Pequod War was brought to an end by the joint efforts of Massachusetts and Connecticut, and the Pequod country became theirs by conquest. This country extended eastward from the Pequod (Thames) River to the Pawcatuck River, and (though here possession was disputed by the Narragansetts) some four miles farther to a small stream in what is now the town of Westerly, Rhode Island, called Wickapaug. But, the territory gained, the next step was satisfactorily to divide it, and with this the quarrel usual in a division of spoils broke forth. The claim which the Bay—never backward in contriving claims—preferred on the score of conquest was met by a claim on the part of Connecticut, based alike on "Patent, purchase, and conquest"; and thus, after an ineffectual effort at agreement in 1638 at Cambridge, the matter stood till 1658. On October 25th of that year Massachusetts, with the sanction of the United Colonies, made an order erecting so much of the Pequod plantation as lay between the Pequod and Pawcatuck Rivers (including Wickapaug) into a township to be called Southertown, and, having named Daniel Gookin commissioner, and Walter Palmer constable, for the township, annexed it to the County of Suffolk.

The Bay, as usual, had by pertinacity attained its end, and for the time being Connecticut was

ousted. But hardly had this been effected, when Providence Plantations took in a measure the place of Connecticut.

On June 29, 1660, a company of Newport men headed by William Vaughan purchased from Sosa,<sup>1</sup> a Pequod captain among the Narragansetts, a tract called Misquamicutt, lying between the Pawcatuck River, Wickapaug Brook, and the sea, and extending northward some fifteen miles to a place known as Quequatuck. This purchase was brought, on August 27, 1661, to the attention of the General Court of Providence Plantations for confirmation, and about the middle of September a delegation of thirty-six of the Misquamicutt Company, including Benedict Arnold, Sr., Tobias Saunders, and Robert Burdett, entered upon their lands. On November 1, 1661, the Southertown constable, under instructions from Boston, arrested Saunders and Burdett and carried them before the Massachusetts Council. Upon the preliminary examination of the Rhode Island men, they confessed that some of their friends in Providence had been lying in wait for the Massachusetts constable as he passed with his captives on the way to Boston, for the purpose of effecting a

<sup>1</sup> On June 25, 1661, the wife of Miantonomi—Wawaloam by name—executed her "affirmation" that she had heard her husband and her uncle Canonicus "give and pass over Misquamicuck to a valorous captain named Socho," in reward for services rendered in connection with the conquest of the region by the Narragansetts. Roger Williams, in a letter to Governor Winthrop, written in 1637, alludes to Sosa as Miantonomi's "special darling, and a kind of Generall of his forces."

rescue, and had only been frustrated in their design by a chance absence at dinner at the critical juncture.

Much angered at this, the Bay, on December 3, 1661, and again on March 8, 1662, addressed stern missives to Providence Plantations. The second communication was carried by Edward Hutchinson, William Hudson, and Amos Richardson (members of the Atherton Company, regarding which more anon), and was couched in terms of unblushing effrontery. It stated: "Besides what we formerly wrote we have a Charter and Pattent from the Lord of Warwick and divers other Lords and Commons (impowered thereto by Parliament) of all that tract of land from Pequot River to Plymouth Line with power of government there granted unto the Governor and Company of the Massachusetts, their heirs and successors forever; which grant is antecedent unto yours."

Here, *redivivus*, was the Narragansett Patent—an instrument utterly discredited, and which Massachusetts itself had treated as discredited, yet which that colony was now, to the cheapening of its honor, attempting to use as a scare-head against a small neighboring people. But the scare-head proved ineffectual, and on May 10th it was supplemented by a notification from the Bay to Providence Plantations to withdraw from Pawcatuck by the last of June, or be prepared to be forcibly ejected. In this form the controversy stood until September, 1662. By that time the charter negotiated for Connecticut by Winthrop had reached

America, and on September 12th the United Colonies so notified Providence Plantations.

The Connecticut charter forever disposed of the jurisdictional pretensions of Massachusetts to the country of the Pequods.<sup>1</sup> As for Providence Plantations, it had laid claim only to such part of the Pequod territory—if Pequod it might be called—as lay between Pawcatuck River and Wickapaug Brook, and hence was practically unaffected by the charter in so far as that instrument related to Pequod territory strictly so-called. But in another way the charter affected Providence Plantations profoundly. It pushed the eastern boundary of Connecticut to Narragansett Bay and the Plymouth line,<sup>2</sup> and hence so operated as

<sup>1</sup> Massachusetts would only relinquish claim to the Pequod country on condition that its grants of lands be confirmed.—Trumbull Papers, *Mass. Hist. Coll.*, 5th ser., vol. ix., p. 58. Among these grants was one of five hundred acres to Harvard College, made May 19, 1658.—*Mass. Col. Rec.*, vol. iv., p. 344.

On June 21, 1670, Daniel Gookin presented on behalf of the treasurer of Harvard College a petition to the Connecticut commissioners at Wickford, complaining "against Stephen Wilcocks and his partakers that unjustly possess five hundred acres of land lying in the Pequot country on the east side Pawcutucke River within the bounds of Stonington." The tract in question was bounded on the south by the Sound, on the east by Wickapaug, on the north by common lands, and on the west by land laid out to Thomas Prentice. In May, 1674, the Connecticut General Court confirmed the grant which had been made to Harvard, and on April 30, 1675, the land was set apart.—*Conn. Col. Rec.*, vol. ii., p. 547; Potter's *Narragansett*, p. 347.

<sup>2</sup> The claim by Connecticut to these limits on the east was based upon what was known as the Warwick Patent. This was supposed to have been issued to the Earl of Warwick at some date between 1630 and 1633, but no such instrument, nor the record of any such, is known ever to have been in existence. It is true that, as shown by the minutes of the Council for New England, there was an order made in June, 1632, that a patent be draughted



completely to efface the Plantations as a separate jurisdiction. Connecticut, it is true, was not unprepared to concede to its neighbor the towns of Providence and Warwick and the island of Rhode Island, but even so, there was withdrawn from the Plantations the great province of Narragansett.

It is the struggle for this province, carried on between Connecticut and Rhode Island under their respective charters, that forms in the main the theme of the present chapter. But first a word with regard to the province itself,—its physical features, its settlement, and its history down to the visit of the King's commissioners in 1665.

It comprised, in general terms, all that portion of the state of Rhode Island south of the towns of Warwick and Coventry,—a district not less than twenty miles square. Winthrop, writing in 1634, describes Narragansett as "all champain for many

for the Earl, which should convey to him the territory "30 miles westward from the river of the Narragants, and 50 miles into the land northward, provided that it do not prejudice any other patent formerly granted," but here the matter came to an end. Previously (in March) Warwick had made a personal grant to Lord Saye-and-Sele and others of territory along the coast of what is now Connecticut, and in 1644 (Dec. 5) and subsequently the colony of Connecticut entered into a contract with Colonel Fenwick, the agent of the proprietors, for the transfer of this territory. What the colony in fact secured was naught save the fort and lands at Saybrook.

Under all the light obtainable, it is a fair conclusion that no patent was issued to Warwick for any lands within the limits of Connecticut, and that, as a consequence, all claims based upon the hypothesis of such a patent were without foundation.—Winsor's *Narrative and Critical History*, vol. iii., pp. 369-371, note.

miles, but very stony and full of Indians." And "very stony," it is unnecessary to remark, it remains at this day. Indeed, almost the only portion of the province that ever has been fit for cultivation is the strip, two to four miles wide, extending from McSparran Hill and Boston Neck, along the west shore of Narragansett Bay and the seashore, to the Champlin tract in Charlestown.<sup>1</sup> But, as if to compensate in some degree for the general roughness, the strip in question has from the first shared with the island of Rhode Island the distinction of possessing the most fertile soil in New England, a circumstance which, about the middle of the eighteenth century, gave rise in Narragansett to that remarkable economic and social development which, at the hands of recent writers both historical and romantic, has been made a source of such suggestiveness, interest, and charm.

In the time of the Indian, the great thoroughfare through Narragansett—its one real artery of life—was the Pequod path, which led from Moos-hassuc (Providence) southward along Cowesett Bay, to Cawcamsquissick (Wickford), thence again southward, along the heights above Pettiquamscutt River, to the present Sugar Loaf Hill; and thence southwestward through Quonochontaug to Pawcattuck (Westerly). It accordingly was natural that when the first white settler appeared in Narragansett, he should pitch his pioneer abode somewhere

<sup>1</sup>Channing's *Narragansett Planters*, J. H. U. Studies 3, ser. iv., pp. 7-8.

beside the path in question, and this he did at Cawcamsquussick Harbor, between 1640 and 1643, in the person of Richard Smith of Gloucestershire, England.

Various Dutch traders, a certain Wilcox (John or Edward), and Roger Williams had preceded Smith in resorting to Narragansett and in more or less temporarily residing there, but Smith probably was the first white man regularly and permanently to establish himself in the region. There was a bond of union between Williams and Smith in the fact that the latter had, "for his conscience to God, left fair possessions in Gloucestershire, and adventured to Taunton in Plymouth Colony in New England," and especially in the fact, that likewise for his conscience, he had after two years quitted Taunton for Portsmouth on Aquidneck. The twain agreed, besides, in a liking for a trader's life, and in the wish to convert the Indians. In the case of Smith, indeed, the taste for trade was strong enough to lead him early to build a house in that interest among the Dutch.

It is not improbable that it was soon after removing to Aquidneck (1640 or 1641) that Richard Smith erected beside the Pequod path at Cawcamsquussick the structure which Roger Williams describes as the first English house among the Narragansetts. In obtaining the land for this house, Smith no doubt was aided by Williams who was well acquainted with the sachems; who himself perhaps had a property interest in the land; and who about this time—a time coincident with the

Gorton-Arnold agitations at Providence—found a lodge in the wilderness preferable to better accommodations at home. Still, Williams, it would seem, did not build a house of his own at Cawcamsqu-sick till 1645 or 1647, and it well may be that it was not until after the destruction by fire of the Smith trading house among the Dutch, which occurred on August 30, 1646, that Richard Smith personally and permanently came to dwell in Narragansett, where before he had carried on his business through John Greene, a member of his household (not the John Greene of Warwick), and through hired agents.<sup>1</sup>

It was a little more than ten years after the date mentioned above that the first attempt was made to occupy Narragansett on a considerable scale. Then (January, 1657) a company of five persons was formed, four of whom (Samuel Wilbore, Thomas Mumford, John Porter, and Samuel Wilson) were of Newport, and one of whom (John

<sup>1</sup> *Mass. Hist. Coll.*, vol. i., p. 216, and Potter's *Narragansett*, p. 32, contain interesting suggestions regarding the time of Smith's settlement in Narragansett. All the early authorities, excepting Randall Holden and John Greene, give priority to Smith over Williams and Wilcox, and in this Williams himself concurs (*R. I. Col. Rec.*, vol. iii., p. 57). Holden and Greene ignore Williams's statement and insist (J. Carter Brown Coll. *Brit. State Papers*, vol. ii., Aug. 20, 1680) that Smith was not the first settler. See *Narr. Hist. Reg.*, vol. ii., p. 25; also vols. vii., p. 287, viii., p. 60, and ix., p. 241.

The first Indian grant to Richard Smith was evidently of a small tract for his trading house. Subsequently—March 8, 1656, June 8, 1659, and October 12, 1660—the original grant was supplemented by conveyances of nearly if not all the land southward, lying east of the Pequod path and north of the Annaquatucket River. The conveyances of 1656 and 1659 were of leasehold estates—the first for sixty, and the second for one thousand, years.—*Rec. King's Prov.*, pp. 56–59; Potter's *Narragansett*, pp. 32–33.

Hull) was of Boston,<sup>1</sup> for the purpose of securing a large tract. John Hull was by trade a goldsmith, and by appointment the mint-master of the Bay Colony. He was eminently a person of thrift, and the father of the blithesome Hannah Hull, who, on her wedding day, as Hawthorne charmingly relates, was portioned off to her husband, Samuel Sewall, with pine-tree shillings in the amount of her own by no means inconsiderable weight. The real object of the company was probably mining, for the tract which they sought to purchase—the lands along the Pettaquamscutt River—was, as stated by Samuel Gorton, presumed to be “rich in minerals;” and indeed after the purchase had been made, Gorton wrote to the Earl of Clarendon (April 4, 1662): A mine has been opened “by som of Late which they call a mine of black lead, the mint-master of Boston allowes Six ponds p. tunn to them that did it, and we are informed it is easily comme by, and he keepes (as we are informed) eight or nine men at work about it pryvately in Boston and makes much plate.”

The bulk of the Pettaquamscutt lands was conveyed to the company by three instruments bearing date respectively January 20th and 29th, and March 20, 1657. The makers of the conveyances were the sachems Mausup (Pessicus), Kachanaquant (youngest brother of Miantonomi), Quequaquenuet (grandson of Canonicus), and Ninigret. By their act the Pettaquamscutt Company were

<sup>1</sup>Benedict Arnold and William Brenton subsequently became members.

put in possession of a district which corresponded roughly with what are the limits of South Kingstown west of Boston and Point Judith Necks.<sup>1</sup> At the date of the purchase of Pettiquamscutt, the law of November, 1658, forbidding land-purchases from the Indians without leave of the colony, had not been passed, so the transaction was not illegal. It in fact may be regarded as having had the tacit approval of the colony, for, aside from John Hull, the purchasers were all men of Providence Plantations.

Nevertheless, the transaction in question, followed as it was by a number of other transactions of a similar kind, including the purchase of Conanicut and Dutch Islands by William Coddington and Benedict Arnold, opened the eyes of the General Assembly to the danger that men of Massachusetts and Connecticut might also buy Narragansett lands, and thus fill the province with settlers antagonistic to the Plantations. So the law above referred to was made, and it was not made a month too soon, for early in 1659 the famous land corporation known as the Atherton Company was formed, and on the successive dates, June 11th and July 4th, obtained from the sachem Kachanaquant two large tracts—one lying north, and the other south,

<sup>1</sup> That is to say: the north line ran, from the head of Pettiquamscutt River [Bridgetown], northwest for about ten miles above and beyond Yagoo Pond; the west line ran southwest, skirting the Great Swamp, for a like distance; and the south line ran southeast to the line of the Pettiquamscutt River extended. The east boundary was the Pettiquamscutt River, excepting opposite the rock of that name, where, by grant of Ninigret, it was made coincident with the sea.

of the Richard Smith possessions at Cawcamsqu-sick [Wickford].

As members of this company were Humphrey Atherton, Amos Richardson, William Hudson, and (afterwards) Edward Hutchinson, Jr., — all of Boston ; John Tinker of Nashaway ; Richard Smith, Sr., and Richard Smith, Jr., of Taunton and Portsmouth ; and John Winthrop, Governor of Connecticut.<sup>1</sup> The tract first obtained by them (Quidnessett) now constitutes the northeast portion of North Kingstown. It was bounded on the north by the Potowomut River, on the west by the Pequod path (Post Road), on the south by Cawcamsqu-sick Harbor and Brook, and on the east by Narragansett Bay ; the extreme length was about six miles, and the extreme width about three miles. The second tract (Namcook, including Boston Neck) was embraced between Cawcamsqu-sick Brook on the north, the Pettiquamscutt River on the west and south, and the bay on the east ; the length was about ten miles, and the width from a mile to a mile and a half.<sup>2</sup>

Acting under the law of November, 1658, Providence Plantations now (August 23, 1659) addressed a courteous but firm letter of protest to the Com-

<sup>1</sup> By October 13, 1660, the membership had been increased from seven to twenty-one, and among the twenty-one were Simon Bradstreet, Daniel Denison, Thomas Willett, Thomas Stanton, and John Scott.—*Conn. Col. Rec.*, vol. i., p. 337.

<sup>2</sup> Potter's *Narr.*, pp. 269, 275 ; *Narr. Hist. Reg.*, vol. i., p. 305 ; *R. I. Col. Rec.*, vol. i., p. 464 ; *Conn. Col. Rec.*, vol. ii., p. 541 ; *R. I. Hist. Soc. Pub.*, n. s., vol. vi., p. 117, viii., p. 69 *et seq.* Trumbull Papers, *Mass. Hist. Coll.*, 5th ser., vol. ix., p. 104.

missioners of the United Colonies assembled at Hartford, against the course of the Atherton Company in buying Quidnessett and Namcook. No attention was paid to this letter, the Atherton Company proceeding in the face of it to take advantage of a situation, soon created, to obtain a grant from the Indians of the entire remaining portion of Narragansett.

It seems that in 1659 certain Nyantic Indians had pursued an Indian servant belonging to "Mr. Brewster," and killed him "at Mistris Brewster's feet, to her great affrightment"; and that in the spring of 1660 a party of disorderly Nyantics had fired eleven bullets into an English house at the new plantation of Mohegan, in the hope, as they are said to have boasted, of killing Major Mason. These things were reported by the Hartford Government to the Commissioners of the United Colonies at their September meeting in 1660. A demand by the latter was promptly made upon Ninigret for the surrender of the offenders, or, in lieu thereof, for the payment of 595 fathoms of wampum peage,—500 in expiation of the outrage at Mohegan, and 95 in expiation of that against the Brewsters.<sup>1</sup> The messengers (George Denison, Thomas Stanton, and five others) were empowered to accept security for the sum required if wampum itself were not forthcoming; but in the latter event payment was to be made at Hartford in four months.

Accordingly, on September 29th, a mortgage<sup>2</sup>

<sup>1</sup> Hazard, vol. ii., pp. 414, 432-434.

<sup>2</sup> Trumbull Papers, *Mass. Hist. Coll.*, 5th ser., vol. ix., pp. 12, 25.



was executed by Pessicus, Ninigret, and Scuttup (the latter a son of Mixan and grandson of Canon-icus), and it was this act which gave to the Atherton Company their opportunity. They knew that the Indians would not be prepared to meet the obligation at its maturity, and, waiting upon them, obtained—in consideration of a promise to make payment for them—a mortgage (October 13, 1660) covering all the unsold Narragansett lands.<sup>1</sup> This new mortgage was conditioned to become an absolute deed in six months from its date, if by that time reimbursement had not been made to the company for their outlay. The six months speedily passed, and the Narragansett sachems (who perhaps comprehended but dimly the import of delay) were still unprepared or unwilling to make payment. The result was that in the spring of 1662 Edward Hutchinson, William Hudson, and Richard Smith went to Pettiquamscutt, and—having induced Scuttup and Ninigret to perform the ancient English ceremony of livery of seizin (delivery of possession symbolically by turf and twig) in the case of all the lands “norward and northwest” of Pettiquamscutt Rock—settled down into the comfortable *role* of proprietors of Narragansett.

But meanwhile Providence Plantations had not ceased protesting against the intrusion of Atherton. Only five days after the execution of the mortgage to the Atherton Company, the colony appointed a committee to confer with that association. Letters accordingly were exchanged, and in May, 1661, the

<sup>1</sup> *R. I. Col. Rec.*, vol. i., p. 465.

committee were instructed further to press the complaint of the colony. What the Atherton Company were actually doing in bandying words with Providence Plantations was gaining time. Already on June 7, 1661, Connecticut had issued instructions to its Governor, John Winthrop, to proceed to London and make application for a patent establishing the Connecticut bounds eastward at Plymouth line, and this suited the Atherton purchasers exactly. If they could maintain themselves in Narragansett, against the "Plantations," until the patent were secured, they would be safe in title and possession, and at the same time under a friendly and congenial jurisdiction.<sup>1</sup> We have seen in Chapter XII. that, as a result of Winthrop's journey and efforts, the Atherton corporation was given the privilege of choosing to which of the rival

<sup>1</sup> Winthrop sailed from New Amsterdam on July 21st, bearing by way of parting gift a long letter from the Atherton associates (including the two Smiths) "entreating" him to "interpose his wisdom in the present juncture that we may not be given up to Road Island for government."

"For," they write, "Roade Island is (pardon necessity's word of truth), "a rodde to those that love to live in order,— a road, refuge, asylum, to evil livers. What lives thrive amongst themselves may be judged from what flows from others with ready entertainment. Each nature covets, seeks, delights in the Congregation of that which is homogenial to it. The public roles record what malefactors, what capital offenders, have found it their unhallowed sanctuary. What though it hath been a buggerer yet, say they, a fellow-creature and therefore must not suffer. Hence such a one being pursued and to pass through their liberties they have rescued out of the hands of the officers and so from the justice of the Massatusets, to whom the said offender did pertain. They make religion the Indian's scorn by working and drinking on the Lord's days ; on which they made, some of them, a great canoe, and called it Sunday, by the name of the days on which they made it. The Indians say, either they are not English, or other English lie in saying there is a Sunday."—Trumbull Papers, *Mass. Hist. Coll.*, 5th ser., vol. ix., p. 27.

jurisdictions (Rhode Island or Connecticut) it would belong. Prompt advantage of the privilege was taken, and on July 3, 1663, at a special meeting, choice was unanimously made of Connecticut. This choice, on July 10th, was ratified by the colony named, and the plantation about the Smith trading house was ordered henceforth to be called by the name of "Wickforde."<sup>1</sup>

The Atherton associates had not succeeded in placing the whole of Narragansett under the authority of Connecticut, but they had succeeded in placing there such part of the region as they had purchased — Quidnessett and Namcook; no mean achievement, for it at least made valid their titles, which by the law of Rhode Island were subject to forfeiture. But the success of the "associates" — even though partial in character — only made more uncompromising the attitude of Rhode Island.

In February, 1664-65, the royal commissioners, Carr, Cartwright, and Maverick, notified Governor Winthrop of their purpose " (God willing) to be in the Narragansett country on the first of March," and when they came, it was with some pretty decided preconceptions on the subject of their mission. At the date of their appointment, Lord Clarendon was in possession of a copy of the submission act of the Narragansett sachems, prepared in 1644 for Charles I. He also was in pos-

<sup>1</sup> *Conn. Col. Rec.*, vol. i., p. 407, vol. ii., p. 527. John Winthrop, grandson of the Governor of Connecticut, writing in 1704, states that Wickford was so named by his grandmother, Elizabeth, " it being ye place of Her nativity in old England."—Potter's *Narragansett*, 2d ed., 1886., p. 416.

session of a copy of Gorton's *Simplicities Defence*, and of a telling summarized version thereof which had been sent by Gorton and Holden, along with the copy of the sachems' submission act, in the spring of 1662.<sup>1</sup>

The commissioners, therefore, having gone into Narragansett, heard the respective stories of Connecticut and Rhode Island, and held a special conference with Pessicus and one of the other sachems (perhaps Mixan, Canonicus's son), were ready to issue a decree, which they did at Pettiquamscutt on March 20th. The terms of the decree were :

"(1) That the Narragansett country must 'henceforward be called ye Kings Province,' and that 'no person [shall] presume to exercise any jurisdiction therein but such as receive authority from us under our hands and seales, until his Majesties pleasure be further knowne'; and (2) that the Pawcatuck River, from its mouth to the ford at Thomas Shaw's house, and thence a line due northward to Massachusetts, was to be the boundary of the said Province on the west. Furthermore, it was decreed that whenever either Pessicus or Ninigret should pay to any member of the Atherton Company the sum of 735 fathoms of peage, the foreclosure which had taken place under the Atherton mortgage should be nullified, and the mortgage itself cancelled; and that upon the repayment by the sachems to the Atherton purchasers of 300 fathoms of peage (the amount received under the two deeds for Quidnessett and Namcook), the sale of these tracts should be void, and possession restored to the aborigines."

The commissioners then (April 4th) turned their attention to Pawcatuck (including Misquamicut), and, annulling all grants on the east side of the

<sup>1</sup> Clarendon MSS., J. Carter Brown Library.

Pawcatuck River, made by Massachusetts or by "that usurped authority called the United Colonies," ordered the settlers under these grants to remove by the 29th of the ensuing September. By way of immediate government for the "King's Province," the commissioners on March 20th appointed a body of justices, consisting of the Governor and Deputy Governor of Rhode Island (Benedict Arnold and William Brenton), together with the colony Assistants and two private citizens, and on April 8th, this arrangement (barring the private citizens) was declared permanent. It would nevertheless seem that Colonel Richard Nicolls, who, under the King's instructions to his commissioners, had a deciding voice in all their acts, did not approve of that part of the order of his associates which required the vacating of Narragansett lands, for, on September 15th, a supplementary order was issued, signed by Nicolls, Carr, and Maverick, permitting the occupants to keep possession during the royal pleasure.<sup>1</sup>

If 1665 — the year of which we have just taken leave — may be considered as marking in Rhode Island history the end of the period preliminary to the opening of the long struggle between Connecticut and Rhode Island for the possession of Narragansett, the interval between 1665 and 1675 may be regarded as constituting the first well-defined period in that struggle. But before treating of this period, it will be convenient to state briefly the

<sup>1</sup> *R. I. Coll. Rec.*, vol. ii., pp. 93-95.

course and result of the dispute with Plymouth concerning the Rhode Island east boundary.

The officers of Plymouth Colony had in 1636 distinctly given it to be understood to Roger Williams, and again in 1638 to William Coddington and John Clarke, that their territory was limited on the west by the Seekonk River and Narragansett Bay. A growing intimacy with Massachusetts, however,—and particularly the intimacy therewith engendered by membership in the New England Confederation,—gradually hardened the Pilgrim temper, and rendered it more self-assertive, until in 1645 Elder John Brown put forth in the name of Plymouth a claim to Shawomet, and until in 1648 the United Colonies, at the instance of Plymouth and in its name, put forth a claim to Aquidneck. In a word, from 1645 onward, Plymouth steadfastly maintained that its jurisdiction extended on the west into Narragansett Bay, if not beyond. As for Rhode Island, it, after 1663, stood firmly upon the charter of that year, which gave to it not merely Narragansett Bay, but a strip of territory “three miles to the east and northeast of the most eastern and northeastern parts of said bay.”

In order, therefore, to effect some result, the King's commissioners found it necessary to decide that “the water, the natural bounds of each colony,” should for the present be “the actual bounds.” The decision in its final form (announced March 7, 1665) described the east line of Rhode Island as the shore line of Narragansett Bay from Saconet Rocks to a point on the Main

opposite Mount Hope Point, thence a right line to Mount Hope Point, thence a right line to a point on the Main, thence right lines from point to point to the mouth of the Seekonk River, and thence the rivers Seekonk and Pawtucket to the south line of Massachusetts.<sup>1</sup>

## II—RHODE ISLAND—CONNECTICUT LINE—1665-1675

### [Sophy Manor]

The first period in the memorable Rhode Island-Connecticut controversy over boundaries is characterized by not less than five distinct series of events: first, the reassertion by Connecticut in 1668 of a claim to Narragansett, despite the finding of the King's commissioners; second the incorporation by Rhode Island in 1669 of Misquamicutt as the fifth town of the colony under the name of Westerly, and the organization of a government for Narragansett by Rhode Island; third, a fruitless conference between Connecticut and Rhode Island in 1670, followed by a forcible assertion of authority in Narragansett by the former; fourth, a formal reassertion of authority and jurisdiction by Rhode Island in 1671; and fifth, the capture of the Rhode Island General Assembly by a pro-Connecticut faction in 1672,

<sup>1</sup> *R. I. Col. Rec.*, vol. ii., p. 128; Orders of royal commissioners, March 7th and March 11th, 1664 (*Eastern Boundaries of R. I.*, J. Carter Brown Library). It evidently was the opinion of Roger Williams that the provisional determination made by the commissioners was one entirely just, for in the letter to Major Mason (*Narr. Club Pub.*, vol. vi., p. 342) he alludes to it with satisfaction.

followed in 1674 by the incorporation of Kingstown.

Of the above we shall have space only for the conference of 1670 with its consequences, and for the doings of the pro-Connecticut faction.

On May 12, 1670, Connecticut proposed a conference with Rhode Island at New London. The proposition was accepted on June 7th, and was put into effect on June 14th—the date fixed by Connecticut. As representatives of the latter colony there appeared Captain John Winthrop, Mr. James Richards, and Mr. John Allyn; while for Rhode Island those appearing were Captain John Greene, Lieutenant Joseph Torrey, and Mr. Richard Bailly. The conference, which at the request of the Rhode Island representatives was conducted in writing, lasted three days. It was begun by Connecticut, which put forth under its charter a claim to the entire region bounded on the east “by Narragansett River, commonly called Narragansett Bay,” and on the north by Massachusetts.<sup>1</sup> This drew from Rhode Island an appeal to its charter, which defined the Narragansett River of the Connecticut

<sup>1</sup> The instructions furnished by Connecticut to James Richards upon this occasion embody the details of the whole Connecticut claim as then asserted. The claim was (1) that Narragansett lay within the charter limits; (2) that the Clarke-Winthrop agreement modifying these limits was null because Winthrop's authority had expired, and because Rhode Island had not observed the terms by permitting the Atherton proprietors to select their own jurisdiction; and (3) that the act of the royal commissioners in 1665, in sustaining the pretensions of Rhode Island, was wholly invalid by reason of the absence of Col. Richard Nicolls, without whom there could be no quorum.



charter as the Pawcatuck River; and over the question, "What, under the two charters, is the Narragansett River?" the debate waxed warm.

No less than eighteen notes were exchanged, in none of which did either colony yield by a hair's breadth to the other. "By Narragansett river, we mean," said Connecticut, "that which was granted, and knowne by that name when our charter was granted and more than thirty yeares before, and not any river new named since." "To yours wee return," said Rhode Island, "that that river only can be conceived to bee the Narragansett river mentioned in your charter which his Majestie hath declared hee did intend by that name at the time of your grant." "To reiterate the same thing againe and againe is tedious and unprofitable," said Connecticut. "Wee cannot but admire you should complaine of reiterations," retorted Rhode Island. "Wee cannot but admire with you that when we speake playne English, it should be so difficult for you to understand," rejoined Connecticut. And thus with a "Yes it is!" on the part of the one, and a "No it is n't!" on the part of the other, the conference terminated.<sup>1</sup> The day following its termination (June 17th) Governor John Winthrop dealt the cause of Connecticut a severe blow, by submitting to the General Court his formal dissent "from exerting power of jurisdiction over the people on the east side of Pawcatuck river and Narragansett country, until his Majesties pleasure be further knowne."<sup>2</sup>

<sup>1</sup> *R. I. Col. Rec.*, vol. ii., pp. 312-320.

<sup>2</sup> *Ibid.* p. 311.

More than once in our survey of Rhode Island history the truth has been borne in upon us, that at critical junctures the voice of Roger Williams was certain to be raised in counsel and warning. That voice was now grown old, but it was not grown less strong, and the boundary dispute — at the point reached just subsequent to the conference at New London—formed one of those crises in which it dare not be still. This crisis differed from most that had preceded it in that Williams, judging his colony to be wholly in the right, did not address there his admonition, but to Connecticut through the medium of his old-time acquaintance, Major John Mason. And what is more, never did the founder of Providence in any of his utterances attain and keep throughout so high a level of expression. There is in this admonition an harmonic grandeur suggestive of Isaiah, or of Milton, or of Edmund Burke, and there is, as well, a sweetness as of Chaucer.

"The bounds of this our first charter," Williams wrote, "I (having ocular knowledge of persons places and transactions) did honestly and conscientiously, as in the holy presence of God, draw up from Pawcatuck river, which I then believed, and still do, is free from all English claims and conquests; . . . so that I must still affirm . . . I tenderly waved to touch a foot of land in which I knew the Pequod wars were maintained; . . . and from Pawcatuck river hitherward, being but a patch of ground full of troublesome inhabitants, I did, as I judged, inoffensively draw our poor and inconsiderable line. . . . However you satisfy yourselves with the Pequod conquest, with the sealing of your charter some weeks before ours, with the complaints of particular men to your Colony; yet upon a due and serious examination of the matter,

in the sight of God, you will find the business at bottom to be,—First, a depraved appetite after the great vanities, dreams, and shadows of this vanishing life—great portions of land, land in this wilderness. . . . This is one of the Gods of New England, which the living and most high Eternal will destroy and famish. An unneighborly and unchristian intrusion upon us, as being the weaker, contrary to your laws, as well as ours, concerning purchasing of lands without the consent of the General Court. . . . I could aggravate this many ways with Scripture rhetoric and similitude, but I see need of anodynes, (as physicians speak), and not of irritations. Only this I must crave leave to say, that it looks like a prodigy or monster, that countrymen among savages in a wilderness, that professors of God and one Mediator . . . should not be content with those vast and large tracts which all the other Colonies have, (like platters and tables full of dainties) but pull and snatch away their poor neighbors' bit or crust.

"Alas! Sir, in calm midnight thoughts, what are these leaves and flowers, and smoke and shadows, and dreams of earthly nothings, about which we poor fools and children, as David saith, disquiet ourselves in vain? . . . What are all the contentions and wars of this world about, generally, but for greater dishes and bowls of porridge, of which, if we believe God's Spirit in Scripture, Esau and Jacob were types? . . . Besides, Sir, the matter with us is not about these children's toys of land, meadows, cattle, government, &c. But here, all over this Colony, a great number of weak and distressed souls, scattered, are flying hither from Old and New England, the Most High and Only Wise hath, in his infinite wisdom, provided this country and this corner as a shelter for the poor and persecuted, according to their several persuasions. Yourselves pretend liberty of conscience but Alas! it is but self, the great god self, only to yourselves. . . . And as to myself in endeavoring after your temporal and spiritual peace, I humbly desire to say, if I perish, I perish. It is but a shadow vanished, a bubble broke, a dream finished. Eternity will pay for all."<sup>1</sup>

<sup>1</sup> *Narr. Club Pub.*, vol. vi., p. 333 *et seq.*

The exact date of the foregoing was June 22, 1670. It was duly received by Major Mason at Norwich, and, having wrought a salutary influence upon the old soldier, was despatched by him along with a letter of his own to the Connecticut representatives, on August 3d.

"'Tis possible," said the Major in his communication, alluding to the struggle for Narragansett, "the toll may prove to be more than the grist. A wise man reckons the cost before hee builds his house. Truly I am of that mind that the charge in recovering what is aymed at, if it should be gayned, will amount to more than the whole country, as it is now stated, will be worth."

Here then — and due to Roger Williams — was a second rebuke to the pretensions of Connecticut by a Connecticut citizen. Winthrop, the Governor, had boldly administered his rebuke from the standpoint of principle; and now Mason, the venerable hero of the Pequod War, late Deputy Governor and present Assistant, was discreetly administering his from the standpoint of pecuniary advantage.

But not long after this, all progress for Rhode Island along the line of determined self-assertion was stopped by a change of government. At the general election of May, 1672, Benedict Arnold was succeeded as Governor by Nicholas Easton. That is to say, the régime of the Quaker was now begun in Rhode Island. This régime, as already observed, entailed peculiarities of attitude on the part of the Island toward King Philip's War.

It likewise entailed such peculiarities toward the question of the boundary with Connecticut. Not that the Quaker, as such, preferred Connecticut to Rhode Island, but that, opposed upon principle as he was to strife and retaliation, he was opposed to the contest—verging upon bloodshed—which for a decade had been in progress between the colonies,—an opposition which, as it chanced, cleared the way for the designs of a few energetic, pro-Connecticut spirits at Newport and in Narragansett.

The situation best reveals itself perhaps in the composition of the General Assemblies for 1672. Here there was, first, a pro-Connecticut coterie consisting, in the May Assembly, of Richard Smith, Jr., and Francis Brinley; and, in the October Assembly, of these two (who were Assistants) re-enforced by William Harris who was a deputy; next, there was a party—Quaker, or of Quaker proclivities—silent partners with the foregoing, consisting of such Assemblymen as John Easton, Thomas Harris, and Joshua Coggeshall, Assistants, and of Walter Clarke, John Gould, Peter Easton, Daniel Gould, and Henry Bull, deputies; while lastly there were a few—Arthur Fenner and John Greene, Assistants, and Randall Holden, deputy—who were rooted adversaries both of the pro-Connecticut coterie and of the Quakers.

Among the “coterie” themselves, the attitude of Richard Smith, Jr.—a charter member of the Atherton Company—was naturally a foregone conclusion. As for Francis Brinley, he was not

yet a member of the Atherton Company, but he was an ardent admirer of strong, orderly government. As such, a Royal Governor for all New England would have been most to his taste, but failing that he preferred the paternalism of Connecticut to the individualism of Rhode Island. His attitude, in a word, was much like that of William Coddington in the days ere — renouncing the vain pomp and glory of this world — he had laid aside his sword and his starched ruff and become a Quaker. But when we come to William Harris, we meet with a peculiar case,—one which, in the present connection, we must pause a moment to consider.

Originally (as shown at Chapter IV.), Harris, by reason of poverty and a prospect of betterment, was a monopolist. Later on — by reason of chagrin over the partial failure of his prospect — he was (as shown at Chapter XI.) something of a communist. Still later on — by reason of betterment actually attained — he was (as shown in the last chapter) more ardently a monopolist than ever. His third phase, moreover, bred in him a liking for the hand of power. If he were to possess property, he wished to possess it where for the present it would be safe, and where in the future it could safely be transmitted to posterity.

Such a place, as early as the year 1671, he had evidently decided to be Connecticut rather than Rhode Island, for in that year he drew up a protest against certain taxes based upon the contention that the charter of Connecticut, by reason of its

priority of date, rendered the charter of Rhode Island a nullity.<sup>1</sup>

"We hope," the protest asserts, "you will hold us reasonably excused from any more payments as to your Charter, being sorry it hath been so troublesome to Mr. John Clarke: and ourselves knowing he did as much as he could (according to his conscience (and more we would n't urge on any man). And seeing such ability (as is wished with respect to tender conscience cannot (as yett) be obtained (and defended by ye laws of England) etc. futhermore we answer you we do not give any deniall to ye Kings Majesty's authority first granted, which seems to carry with it the most strength of law is and will be the rule to try us by (if we desire it)."<sup>2</sup>

In the above there is no sign that the nullity of the Rhode Island instrument (conceding it to be established) was a source of regret to Harris. He was not, like Roger Williams, a humanitarian, nor, like John Clarke, a statesman with concern for the public weal. His concern was the eminently practical one of the business man, that the Pawtuxet purchase—to the full limit of twenty miles west from Fox's Hill—should be as effectually

<sup>1</sup> As filed in the *Conn. Archives*, the date of Harris's protest is October, 1666, but the true date is probably 1671. A copy of the protest in the well-known hand of Harris may be found in vol. i., at page 17, of the R. I. Hist. Soc. MSS., and upon this copy there is endorsed, also in Harris's hand, the order of arrest with the date February 24, 1671. Moreover, there is attached to the copy a reproduction of the letter obtained from the King by John Scott; whence it may be inferred that it was this letter which first seriously roused the suspicions of Harris regarding the legal validity of the Rhode Island charter.

<sup>2</sup> Copies of papers in *Conn. Archives*, R. I. Hist. Soc. Referring to Harris's protest, Roger Williams remarks: "He [Harris] flies to Connecticut Colony in hopes to attain his gaping about Land from them, if they prevail over us: to this end he in publick Speech and Writing applauds Connecticut Charter and damns ours."—*Narr. Club Pub.*, vol. v., p. 317.

secured to him and his partners, under Connecticut, as under Rhode Island.

But having issued one paper, Harris felt called upon to support it by another. In the second he urged the point, that the King had no power to dispense with an Act of Parliament, wherefore he must have exceeded his authority in granting freedom of worship in the Rhode Island charter,<sup>1</sup>—a freedom directly at variance with the Act of Uniformity passed by Parliament in 1662.

It was natural that both of Harris's papers should excite intense animosity, and they did. In fact, on February 24, 1671-72, at the instance of Roger Williams, a warrant was issued for the arrest of Harris, and for his incarceration at Newport pending action upon the charge of "writing against his Majestie's gracious Charter." The warrant was signed by Benedict Arnold, John Clarke, John Cranston, Roger Williams, John Greene, and others of the Assistants, indicating the grave light in which the offence was regarded by the colony. Nothing, however, came of the proceeding. "He [Harris]," says Williams, "lay sometime in prison until the General Assembly, where the Quaker (by his wicked, ungodly and disloyal plots) prevailing, he by their means gets loose, and leaves open a door for any man to challenge the King's Majesty," etc. In other words, what happened was this: Richard Smith and Francis Brinley, supported by the Quakers,

<sup>1</sup> *George Fox Digg'd* (Narr. Club Ed.), vol. v., pp. 20-22, 317.



succeeded during the Assembly of May, 1672, in liberating Harris, whose course since the year 1670 marked him as their natural ally, whereupon he, using his liberty, procured in October an election as deputy to the Assembly, and immediately and unreservedly attached himself therein to the pro-Connecticut coterie.

The conciliatory mood of both the Rhode Island Assemblies of 1672 toward Connecticut and toward the Atherton Company at once manifested itself. Indeed, at the Assembly of October the "coterie" were able to carry a vote repealing the important law of 1658 forbidding, under penalty of forfeiture, the purchase of lands from the Indians without the consent of the General Assembly. But with this signal triumph the activity of the coterie suddenly came to an end. The war with the Netherlands, and the Indian troubles premonitory of King Philip's War, supervening, attention was absorbed.

There was, however, no cessation of activity by William Harris. He was chosen an Assistant in May, 1673, and, upon the passing of the boundary agitation into its second stage, at the end of the struggle with Philip, he was entrusted by Connecticut with a leading rôle.

#### SOPHY MANOR.

NOTE.—The Council for New England, just previous to its dissolution in June, 1635, undertook to divide up among its own members the territory entrusted to it for settlement. Thus Maine was assigned to Sir Ferdinando Gorges, New Hampshire to Captain John Mason, and the region between the

Connecticut and Hudson Rivers, to Carlisle and Lennox. But there were allotments besides these, as, for example, one to the Earl of Sterling and one to the Marquis of Hamilton—and both of the latter are of significance in connection with the territorial history of Rhode Island.

The Sterling grant embraced that part of the coast between the St. Croix River and the Sagadahocke, and also various islands, the largest of which was Mattoax or Long Island. Prudence Island in Narragansett Bay (not alluded to in the grant) would seem to have been sufficiently remote to escape inclusion, but this, at a comparatively late date, was held in certain quarters to be a mistaken inference.

John Paine in his day (1672 and earlier) was one of the solid men of Boston. In 1659 he married Sarah Parker, daughter of Richard Parker of Boston, and received from his father-in-law Prudence Island as a wedding gift. The island, however, was under the jurisdiction of Rhode Island, and therefore in Paine's opinion decidedly misplaced. Accordingly in 1672, Francis Lovelace, Governor of New York—acting as agent of the Duke of York to whom Sterling had transferred his rights in New England—granted Prudence (the Chibachuwesa of Roger Williams and Governor Winthrop) to Paine and obtained (July 25, 1672) for the grantee a patent thereto as "Sophy Manor." The Manor was to be "an entire enfranchised manor of itself," held subject only to the annual payment, "as a quit-rent," of "two barrels of cyder and six couple of capons." The Lord of the Manor—the worthy Paine—was to wield authority both civil and military, but there was to be "free liberty of conscience" secured to all professing the Christian religion. The fee of the island was declared to be in the grantee and there were to be required of him and his heirs neither rates, taxes, nor military services.

At this point (October, 1672) Rhode Island unhappily intervened, indicting Paine, who argued his own case, but who was convicted and therewith glad to be allowed to go free on condition of abandoning his pretensions.—*Genealogy of the Paines*, Ipswich branch, 1881, pp. 80-91.

III.—THE RHODE ISLAND—CONNECTICUT LINE,  
1675-1683.

Between the years 1675 and 1683—years marking the limits of that “second stage” mentioned above—the struggle for Narragansett falls naturally into three periods: first, that of a renewed claim to the province put forth by Connecticut on the score of conquest from the natives; second, that of a tourney before the King (as it may not inaptly be called) on the part of the Rhode Island champions, Randall Holden and John Greene, and the Connecticut champion—a knight of the order disinherited—William Harris; and third, that of the interposition, under royal mandate, of Edward Cranfield, Lieutenant-Governor of New Hampshire.

At the end of Philip's War the Rhode Island occupants of Narragansett were pretty nearly all upon the island of Rhode Island, whither they had fled for their lives. But by September and October, 1676, they had begun to return to their abandoned lands, and to rebuild their ruined houses and barns. At this point they were met by a proclamation from Connecticut, asserting authority over the region by right of recent conquest, and warning them away as intruders.

As early as May 10, 1677, Connecticut had ordered a general inspection of the Narragansett lands with a view to establishing a series of plantations. But while the inspection was yet in progress, word was received from Deputy Governor

John Cranston of Rhode Island, that a party of forty from the latter colony were about settling at Elizabeth's Springs<sup>1</sup> (situated near the head of Greenwich Cove), and, on October 31, 1677, the Rhode Island General Assembly passed an act creating a town of 5000 acres, to the west of the springs and cove, to be called East Greenwich.<sup>2</sup>

Between 1677 and 1682 the Connecticut claim to Narragansett by conquest in King Philip's War met with still further discouragement. Early in May, 1679, John Saffin, the Atherton agent, was seized, taken to Newport, indicted, and by the twenty-third of the month sentenced by the Court of Trials to forfeit his entire Narragansett estate, and to pay a fine. Saffin, it seems, had, about August 1, 1678, had the temerity to post a notice under the very eyes of the Rhode Island authorities in Newport, advertising for sale upon reasonable terms several whole townships in the Narragansett country. It perhaps had been with something of bravado that the Atherton agent had posted his placard in Newport. It was with anything but bravado that on May 23d he wrote

<sup>1</sup> These springs were named after Elizabeth, wife of John Winthrop, Jr., Governor of Connecticut.—Potter's *Narragansett*, 2d ed., p. 416. Roger Williams thus alludes to the springs in a letter to Winthrop dated June 13, 1675: "Here is the spring, say I (with a sigh), but where is Elizabeth? My charity answers she is gone to the Eternal Spring and Fountain of living waters." Elizabeth had died Nov. 24, 1672.

<sup>2</sup> Named after East Greenwich, County of Kent, in England. The following is from Lambard's *Perambulation of Kent* (London, 1576): "Greenwiche, in Latine Viridis Sinus . . . that is to say the Greene Town, In ancient evidences East Greenwich, for difference sake from Depforde, which in old instruments is called west greenwicke."—*Narr. Hist. Reg.*, vol. iv., p. 249.

as follows to the Connecticut Government, from Newport jail :

"The Rhode Island men have kept me here above a fortnight in suspense and at last have pas't a sentence against me most illegally . . . a copie whereof I have here inclosed, the which I must discharge or lye in prison. . . . You see by their sentence that all my lands and estate within Rhode Island Colony is declared forfeited, so that it is high time for us to know whether those lands in the Narragansett be in their or your Colony, & here I must abide expecting your Resolve."

Following the course of our subject, we come now to the contest waged between Rhode Island and Connecticut before the King.

On July 30, 1678, John Saffin was preparing his placard offering for sale the Narragansett lands. The posting of the placard made, as has been said, a great stir in Rhode Island. Among other things done, a copy of the sheet was sent to Holden and Greene (now in London), and, reaching them late in the autumn, was made the theme of a petition to the King on December 4th. The Privy Council gave order, December 13th, that the secretary prepare letters for the royal signature, "requesting the respective Colonys and their inhabitants in New England to leave all things relating to the . . . country of Narragansett or King's Province, in the same condition as it now is, or has lately been in as to the possession and government thereof."

A little later than this—January 24, 1679—another question was raised before the council affect-

ing the territorial integrity of Rhode Island, and upon this also the Warwick representatives found occasion to speak.

William Crowne—one of the few faithful subjects of Charles I. in Massachusetts—had been the owner of a considerable estate (air-castle mayhap) in Nova Scotia and Acadia, but, through the surrender of these provinces by England to France in 1632, had been deprived of his property. It chanced that his son, John Crowne—a sometime student at Harvard—was since become (under Charles II.) a poet and playwright in London, and as such the *protégé* of that celebrated wit and free liver, John, Duke of Rochester, who patronized him in opposition to John Dryden.<sup>1</sup> At the conclusion of King Philip's War, it came to the knowledge of John Crowne, through his father in America, that Mount Hope Peninsula—Philip's ancient seat—was so situated as possibly to be extra-colonial, and hence open to royal grant. Acting upon this, the poet addressed the King, on the date named above, praying that "said

<sup>1</sup> John Crowne was probably American born. He was in Massachusetts when the Regicides Whalley and Goffe came thither, and made affidavit that the latter were hospitably received by Governor Endicott. In his affidavit he represents himself as "a member of [Harvard] University," and an eye and ear witness of what he reported. His subsequent career was wholly in England. At first he was in great poverty, filling the menial position of house servant. Later he contrived to win favor at court by his wit, and at Rochester's solicitation he was commissioned by the King (who was out of humor with Dryden) to write the "Masque of Calypso," to be performed in the royal presence. So long as Charles lived Crowne was in favor. Indeed, the King's death occurred while one of Crowne's plays—"Sir Courtly Nice"—was undergoing rehearsal. Palfrey's *New Eng.*, vol. ii., p. 498, note; *N. Eng. Hist. and Gen. Reg.*, vol. vi., p. 46.

small tract of land might be bestowed upon him for the support of his parents and family."

Holden and Greene, therefore—as also Stoughton and Bulkeley, the London agents of Massachusetts—were called upon to enlighten the Lords of Trade regarding the extent of Mount Hope, its value, and its claimants. The statements of the Massachusetts agents and of the Warwick men did not agree, and the King's advisers decided to apply for information directly to New England. Accordingly the royal letter (dated February 12th) which had been drawn up to each of the colonies, embodying the order for the preservation of the *status quo ante* in Narragansett, was made to include a request for particulars concerning Mount Hope. It chanced that by this time Holden and Greene, successful in obtaining a stay of execution in the case of Harris against Warwick, were ready to depart for home. To them, therefore, the letters of February 12th were consigned for delivery. Nor was this all, for to Holden individually there was consigned what to the bearer must, in a personal sense, have been the most grateful missive of the collection,—a letter, dated December 20, 1678, peremptorily commanding Massachusetts to revoke the decree of banishment which it had passed against Holden in 1643.

The representatives of Warwick reached New England probably late in June, 1679, and promptly discharged themselves of their despatches.<sup>1</sup> To Con-

<sup>1</sup> They brought word also regarding a petition submitted to the King in 1678 by Richard Smith, Jr. Smith's prayer had been that the Narragansett

necticut the royal letter proved highly disconcerting. On July 5th the Connecticut Council wrote indignantly to Massachusetts, proposing a meeting of the United Colonies to make answer to the King, lest not only Narragansett be lost through the "superrogations" of the Rhode Islanders, but also Mount Hope "unto John Crowne." Furthermore, John Saffin was urged to go to England and, joining with William Harris—who (as related in Chapter XIV.) had not yet returned from his pursuit of Holden and Greene—"doe your [the Atherton Company's] business and ours also effectually." In case Saffin could not go, he was asked to procure the services of "Mr. Wharton or Mr. Richard Smith," and was instructed that Connecticut "would readily comply in answering their part of the charg."

The situation for Connecticut was not improved by its earnest plea to John Saffin. Neither he, nor Wharton, nor Smith, sailed to join Harris in London. Harris, indeed, returned in September, 1679, and—victorious in the rehearing against Warwick—was, on October 10th, formally retained by Connecticut as its agent in the matter of the Narragansett country.<sup>1</sup> The King was at

country, along with the islands, Conanicut, Hope, and Patience, and with Dutch Island, might be "settled and restored" under the government and jurisdiction of Connecticut.—*R. I. Col. Rec.*, vol. iii., p. 50.

As for the island of Conanicut, it already—November 4, 1678—had been attached more firmly than ever to Rhode Island by incorporation as a town, under the name Jamestown, in honor of James I.—*Ibid.*, p. 21.

<sup>1</sup> *Conn. Col. Rec.*, vol. iii., p. 38. Harris's instructions, which bore date Dec. 15, 1679, were to present the claim of Connecticut to the "soyle and government" of the Narragansett country. To this end he was "to



once informed of this, and in December Harris set sail for England. On January 24, 1680, he was captured by the Algerines, and Connecticut, as a result, was left standing just where it had stood before an agent had been employed.

Here verily was trouble, and, from July, 1680, to December of the same year, the question of Harris's ransom was discussed in letters from William Blathwayt (Secretary of the Council) to Connecticut, from Connecticut to Richard Wharton, and from Wharton back again to Connecticut; also in letters incessant and most piteous from Harris himself to Connecticut, to Wharton, and to his wife.<sup>1</sup> Rhode Island, it should be remarked, improved the occasion of Harris's capture to intimate, with a cruelty well-nigh Mephistophelian, that in the mischance Harris and Connecticut alike—the one for his disloyalty and the other for its greed—were merely discharging a long-accrued debt to Nemesis.<sup>2</sup>

Still there was in reserve another turn to the kaleidoscope of events. Harris languished in the hands of the Algerines till early in 1681, and then

improve the meetest instrument both for Councill and help" (J. Carter Brown Coll. *British State Papers*, vol. ii., No, 146). Among the documents taken by Harris to England was an elaborate statement made by certain Pequod and Narragansett Indians controverting the title of Sosoia to Misquamicutt.—*Conn. Col. Rec.*, vol. iii., p. 274.

<sup>1</sup> *Ibid.*, pp. 303–307.

<sup>2</sup> *R. I. Col. Rec.*, vol. iii., p. 76. Randall Holden, writing on August 20, 1680, to the Lords of Trade said: "William Harris took ship for England last Christmas as it were by stealth . . . thinking thereby with the assistance of the magistrates of New Plymouth to surprise us, but it hath pleased God to direct his course to Argeer."—J. Carter Brown Coll. *Brit. State Papers*, vol. ii.

reached London only to die ; but in the preceding year, Thomas, Lord Culpepper, returning to England by way of Boston from an inspection of Virginia (whereof he had been made patentee along with Lord Arlington), fell into the hospitable hands of John Saffin, the Atherton agent. The associates were in the depths of distress, and Culpepper was both a nobleman and a favorite at court. In view of these facts, the idea suggested itself to Saffin that he hitch the laboring Atherton wagon to the nobleman's star and thus regain the heights.

Of course Culpepper would expect a *quid pro quo*; he had not come to Virginia for recreation, nor would he sell his influence with the King for personal friendship<sup>1</sup>; accordingly the Atherton Company, which in 1660 had been enlarged to admit the artful Scott, and in 1662 to admit the unspeakable Chiffinch,<sup>2</sup> was in 1680 further enlarged to accommodate my Lord Culpepper, now the owner of a one-sixteenth part of all the company's lands.<sup>3</sup> My lord sailed from Boston in August.<sup>4</sup> On October 5th there was sent to him in London, by John Saffin and Richard Wharton,

<sup>1</sup> Bancroft (*Hist. U. S.*, vol. i., p. 539) pronounces Lord Culpepper "one of the most cunning and most covetous of men."

<sup>2</sup> In 1681 a list of the Atherton purchasers was furnished to Culpepper, and in this there is to be found the name of Chiffinch as well as that of Scott.—Trumbull Papers, *Mass. Hist. Coll.* 5th ser., vol. ix., p. 3.

<sup>3</sup> *Ibid.*, p. 5.

<sup>4</sup> This is the month usually assigned, but John Hull says in his *Diary*, under date August 24th: "The Lord Thomas Culpepper came into Boston privately; but the next day he dined at the Town House, and was attended by the eight military companies, and, about October 15th, sailed hence for England."—*Coll. Am. Antiq. Soc.*, vol. iii., p. 247.

a letter stating that Rhode Island had sent forth "the Scumm and Dreggs of their unsettled Plantation to possess our Lands"; that Harris (whose liberation was daily expected) would wait on his lordship in the matter; and concluding with the expression of a wish that Narragansett might be joined to Connecticut or Plymouth, or else erected into an independent jurisdiction.

Upon the arrival of the Culpepper letter in England (a short time only after the arrival of Culpepper himself), the attitude of the Lords of Trade toward Rhode Island, which, down to the time of the departure of my lord from Boston, was favorable, underwent a marked change.<sup>1</sup> Holden and Greene, who heretofore had stood high in the esteem of Mr. William Blathwayt, were now quietly allowed to lapse out of mind, and Blathwayt began (February 14, 1681) communicating with the Atherton gentlemen. His words were: "I am very glad of your letters and of any opportunity of serving any persons in your parts whose loyalty may exact it from me, as I am particularly placed in a station wherein my duty is joined with my inclinations to be useful to them."<sup>2</sup> And it is to be remarked that from this time forth the Atherton gentlemen took pains to make their

<sup>1</sup> It is perhaps symptomatic of the feeling toward Rhode Island at this time that a petition of the daughter of Ninigret — Weeounkass — to Charles II. (April 4, 1680), to be allowed to continue under the jurisdiction of Rhode Island, was endorsed "suspicious" by the Secretary to the Privy Council because it had been received by way of Rhode Island. The petition itself may be found in vol. vii. of the *Narr. Hist. Reg.*, p. 35.

<sup>2</sup> G. T. Paine Coll., William Harris MSS.

loyalty very patent to Mr. Blathwayt by using, as the medium of their relations with the Lords of Trade, the loyal Culpepper.

As a result of it all — that is, of the conflict for Narragansett, carried (despite the King's letter of February 12, 1679) into the year 1682, and of the pressure artfully applied by Culpepper — there was, on April 7, 1683, created a second Royal Commission to bring the vexatious controversy to a close. And in its mere *personnel* the anti-Rhode Island nature of the commission was manifest. As president, there was Edward Cranfield, Governor of New Hampshire; as associates, there were Edward Randolph, Collector and Surveyor of Customs in New England, and seven others. Cranfield, moreover, in the language of the English historian Doyle, was a "political freebooter" going to his task in the spirit of a Roman Proconsul in the worst days of the Republic; while Randolph was "vindicative and unscrupulous."

By August the commissioners were ready for work, and as a first step they addressed to Rhode Island (as also to Connecticut and Plymouth) a summons directing "all persons and corporations" claiming right or title to the "Soyle or jurisdiction" of the Narragansett country, including both the Mainland and the islands, Conanicut, Prudence, Patience, etc., to appear at Mr. Richard Smith's house, on Wednesday the 22d of the month, there and then to make good their pretensions. The summons was received by the Rhode

Island Assembly on August 20th, at Warwick,<sup>1</sup> and on the 21st an answer was returned to the commissioners, at Richard Smith's, demanding the production of his Majesty's commission by virtue of which the summons was issued.

To this demand a flippant reply was made, and the Assembly at once caused to be served upon the commissioners a writ forbidding them keeping court in any part of the colony. They nevertheless continued their deliberations for two days, during which conclusions were rapidly matured. Plymouth, for the sake of the argument, claimed jurisdiction under its grant up to the line of the Pawcatuck. This was amiably controverted by Connecticut, and the commissioners, deciding that Narragansett River meant Narragansett Bay, alike in the Connecticut and Plymouth charters, certified it to his Majesty as their opinion that Connecticut by its patent was vested with jurisdictional rights "in and through the Narragansett country," and that the "property of the soyl" was vested in the heirs and assigns of "Thomas Chiffinch Esqr., Major Atherton, Mr. Richard Smith," and the other members of the Atherton Company.

It was October 20th before Cranfield was ready with a report of his Narragansett proceedings, and even then delay in sending was occasioned by the appearance of Randolph bearing letters of attorney,

<sup>1</sup> On June 26, 1683, it was ordered that the October Assembly sit at Providence, emphasizing a tendency to revert to the ancient itinerant method.

dated London, July 30, 1683, from William and Ann, Duke and Duchess of Hamilton, and James, Earl of Arran, their son, empowering him to demand and sue for all lands (including a part of Narragansett) to which they were entitled in New England.<sup>1</sup> Little time, however, was spent over the Hamilton claim, and the Cranfield report was despatched. It was accompanied by a personal letter from its author to the Lords of Trade, declaring that the Rhode Islanders were "a people utterly incapable of managing a government"; intimating that the title to the island of Aquidneck was still in the King; and, with strange irrelevancy, recommending the extirpation of Harvard

<sup>1</sup> The original Hamilton grant was made to the Marquis of that name who had commanded the English troops under the great Gustavus in the Thirty Years' War. It embraced a tract beginning "at the entrance of the River of Connecticut," extending thence "along the sea-coast to the Narragansett River, to be accounted about sixty miles, and so up to the western arm of that River to the head thereof, and into the land northwestwards till sixty miles be finished, and so to cross our land southwestward to meet with the end of sixty miles to be accounted from the mouth of Connecticut up northwest"—the tract to be called the "County of New Cambridge."

In 1636 the Marquis sent over an agent "to survey and settle the country," but the Civil War in England and the Indian troubles in New England prevented definite action, and, the death of Hamilton occurring soon after, the claim lay dormant till 1664. On May 6th of that year, an Order in Council was secured, referring the claim to the King's commissioners in New England. The latter, on March 25, 1665, referred the claim to Connecticut for a reply, and this when delivered was found to base the title of that colony on thirty years' adverse possession under the Warwick Patent and Charter of 1662. The reply, together with a letter from the commissioners, would seem to have been transmitted to the King in 1666. (*Conn. Col. Rec.*, vol. iii., p. 333 *et seq.*; Trumbull Papers, *Mass. Hist. Coll.*, 5th ser., vol. ix., pp. 184-186; *R. I. Col. Rec.*, vol. iii., p. 145). It, however, was not till 1697 that final action on the Hamilton claim was taken. Then, on August 10th, it was rejected upon the opinion of Sir Francis Pemberton addressed to the Lords of Council.—*Mass. Hist. Coll.*, 5th ser., vol. ix., p. 190.

College as a mother of "half-witted philosophers who turne either Atheists or seditious preachers."<sup>1</sup>

The report of the commissioners—so utterly adverse to the pretensions of Rhode Island—was well calculated to impart to Randall Holden and John Greene a sense of the unstable nature of the relation of victor and vanquished. The Warwick men, returning in 1679 with the royal letters, had not only brought embarrassment for Connecticut, but such glory for themselves that, though officially the agents of but a single town, they had been accorded a vote of thanks and a grant of their expenses by the entire colony. Now—four years later—the embarrassment was certainly not on the part of Connecticut, and as for the glory, there was not enough of it left upon the shoulders of its erstwhile possessors to gain from the King the least attention to earnest protests and eloquent appeals.

It is true that at Whitehall no action was taken upon the Cranfield report, and that, in default of action, the struggle for Narragansett was not allowed to abate. But in this there really was little that was encouraging for Rhode Island. On February 6, 1685, Charles II. died, and his brother James ascended the throne. The latter, moreover, adopting a suggestion made to the late King by

<sup>1</sup> *R. I. Col. Rec.*, vol. iii., p. 146.

Cranfield's letter was marked by some just criticism. It ridiculed, for instance, the statement made by Randall Holden and John Greene in their petition (No. 92, vol. lxiv., *Brit. State Papers*) that they had suffered because of the "consonancy of their judgments to the Church of England," and directed attention to the confusion of the Rhode Island Records.

Edward Randolph, resolved upon the installation of a Royal Governor for New England, and as a preliminary step created a council of seventeen persons, with Joseph Dudley of Massachusetts as president, in whom there was vested authority over Massachusetts, New Hampshire and Maine, and the Narragansett country.

It does not fall within the scope of the present book to treat of the administration of Dudley or of that of Sir Edmund Andros by which it was succeeded. Suffice it to say with regard to the two great boundary questions, involving the territorial integrity of Rhode Island on the east and on the west, that, while neither was settled till far in the next century, both when settled left Rhode Island possessed of well-nigh the identical limits procured for the colony by John Clarke in the Charter of 1663.





L'État, C'était Lui



## CHAPTER XVI

### SOME APPRECIATION OF ROGER WILLIAMS

**B**EGINNING with 1676—the year of the death of John Clarke—the founders of the commonwealth of Rhode Island passed rapidly one after another to their long abode. Samuel Gorton died late in November or early in December, 1677. On June 20, 1678, Benedict Arnold died. William Coddington died the same year on November 1st. Then, on March 12, 1680, came the death of John Cranston, and three years later that of Roger Williams. Aside from the death of the founders, most of the noteworthy incidents of Rhode Island history between 1676 and 1683 have been mentioned in previous chapters, but there remain still a few that demand attention, and these we shall briefly take up before addressing ourselves to the theme of the chapter in hand.

During the decade under review, prices of food-commodities adjusted themselves on a lower plane than in days gone by. Good merchantable pork now sold for twopence a pound, or at fifty shillings a barrel, as against seventy shillings a barrel in

1664, and threepence a pound in 1670; while good beef sold at twelve shillings a hundred. Peas — always a staple article — sold for two shillings and sixpence a bushel, as against three shillings and sixpence in 1664 and 1670. Indian corn, which in 1670 could be obtained only at three shillings a bushel, now sold for two shillings; and wool had dropped from twelpence a pound to sixpence, and butter from sixpence to fivepence.

But it is of more particular interest to remark that on May 7, 1679, a law was passed forbidding the "employing of servants to labor on the first day of the week," and interdicting on that day all sporting, gaming, or shooting, and all tippling and drinking in taverns "more than necessity requireth"; that in the same year (July) Sir Edmund Andros (Governor of New York) paid a visit to the colony and was entertained at the public charge; that on May 8, 1680, Governor Peleg Sanford gave wary answer to twenty-seven queries from the Lords of Trade regarding the colony's population and material condition; that in the same year the laws of the commonwealth were ordered to be got ready to be "putt in print"; that likewise in the same year (May) a bill was passed reasserting (against a contrary declaration made in August, 1678) the ancient right and power of the General Assembly to act as a final court of appeal in all cases in which either plaintiff or defendant should deem himself aggrieved; that on January 15, 1681, Roger Williams addressed a letter to the town of Providence; and, lastly, that in

April, 1681, Benjamin Hernden, Jr., of Providence, encountering an Indian in the woods, so demeaned himself that thereby hangs a tale.

Benjamin Hernden (or Herendeen), Sr., and John Clawson were among those first admitted to the ranks of the Providence proprietors as twenty-five acre men. The two—the latter of whom was a servant of Roger Williams—were intimate acquaintances. On the night of January 4, 1661, Clawson was set upon just outside the town, near what is now the North Burial Ground, by an Indian named Waumaion, who sprang from behind a thicket of barberry bushes. The Indian was armed with a broad-axe and with this split open the chin of his victim, inflicting a mortal wound. But Clawson before his death was able to confirm a suspicion that the instigator of the assault upon him was no other than his supposed friend Hernden, and in his wrath he pronounced upon the murderer, and upon his posterity, the strange curse—a curse recalling that selected by Hawthorne as the *motif* for the *House of the Seven Gables*—that “they might be marked with split chins and haunted with barberry bushes.” Whether or not the Benjamin Hernden who, in 1681, encountered the Indian in the woods was marked with a split chin, we are uninformed; but he literally may have been, for split or furrowed chins were a characteristic of the Herndens to a late date.

The thing which unmistakably we do know is, that the Hernden in question—like his progenitor

— was murderous in spirit ; for what he did, on meeting with the Indian, was to order him without warrant to stand and await his pleasure,— a command which he at once proceeded to emphasize by levelling his piece and firing. The shot by chance went wide, but Hernden was called sternly to account for it. The following from the colony records is the quaint recital: "The said Indian notwithstanding the said violence to him offered, did not then seek to revenge himselfe by the like returne, although he alsoe had a gun, and might have shot at Hernden again, if he had been minded soe to have done, but went peaceably away ; only using some words by way of reproofe unto the said Hernden ; blaming him for that his violence and cruelty, and wondering that Englishmen should offer soe to shoot at him and such as he was, without cause": wherefore "it is by this Assembly, and the authority thereof, enacted that all his Majesty's subjects in this Colony are hereby required to behave themselves peaceably towards the Indians in like manner as before the warr."

Of greater interest, however, than the story of Clawson's curse is the letter by Roger Williams already adverted to. It was his last known communication to the town which he had founded, and was written in support of a measure passed by the Assembly in May, 1679, authorizing the Governor and three magistrates to appoint five "honest persons" to levy and apportion rates in any town which should fail to make its own levy and appor-

tionment. "Six things are written in the hearts of all mankind, yea, even in pagans," says Williams: "1st that there is a Deity; 2d that some actions are naught; 3d that the Deity will punish; 4th that there is another life; 5th that marriage is honorable; 6th that mankind cannot keep together without some government." It is the last proposition which the writer feels it incumbent upon him to enforce, and his words are freighted with wholesome philosophy.

"There is no Englishman in his Majesty's dominions or elsewhere," he asserts, "who is not forced to submit to government. . . . There is not a man in the world (except robbers, pirates, rebels) but doth submit to government. . . . Even robbers, pirates and rebels themselves cannot hold together but by some law among themselves and government." He then points out that either law or arms must prevail, and having shown the superiority of law to arms, comes to the immediate point (taxation) by showing that for the support of law, "tribute, custom, rates" are indispensable. Charters, he states (which are fundamental laws), are costly. "Our first cost an hundredth pound; our second about a thousand; Connecticut's about Six thousand"; moreover "our Charter excels all in New England as to the Souls of men." Why, therefore, seek to evade rates? — especially when ours "are the least (by far) of any Colony in New England," and when "there is no man that hath a vote in town or Colony but he hath a hand in making the rates by himself or his deputies? . . . Black



clouds," he solemnly — and with a touch of seventeenth-century eeriness — remarks in conclusion, "some years have hung over Old and New English heads." Besides, "all mean fear that this blazing Herald from Heaven [the great comet of 1680] denounceth from the Most High wars, pestilences, famines. Is it not then our wisdom to make and keep peace with God and men?"

Upon the death of John Clawson in 1661, Roger Williams became the administrator of his few goods, including a cow and a Dutch Testament; but when Williams himself passed away in 1683, there is reason to believe that he was possessed of even less in the way of property than was Clawson. It is the distinct intimation of his son Daniel, given in 1710, that the founder of Providence — he to whom, as that son remarks, most of the town had rightfully been as tenants — was in his last days dependent; and while Callender makes the brave statement that Williams "was buried with all the solemnity the Colony was able to show," the probability (well-nigh certainty) is that he died substantially forgotten.<sup>1</sup> There is no record of the month, much less of the day, of his death. On January

<sup>1</sup> On March 22, 1860, the grave of Roger Williams — the location of which tradition had barely preserved — was carefully opened. Nothing was found therein save the root of an apple tree which, entering the grave at the head of the occupant, had traversed the spinal column and then, branching in twain, had traversed the entire length of each leg. At the ankles the two branches had turned upward along the line of the feet, terminating their growth at the toes. This curious vegetable reproduction of the skeleton of the founder of Rhode Island now fills a case in the museum of the Rhode Island Historical Society.

16, 1683, he subscribed his name to one of the agreements with the Pawtuxet men, and on May 10th, following, John Thornton in writing to Samuel Hubbard said: "Dear brother, you gave me an account of the death of divers of our ancient friends; since that time the Lord hath arrested by death our ancient approved friend Mr. Roger Williams." No nearer than this—no nearer, that is, than somewhere between January 16th and May 10, 1683—are we able to come to the date that we fain would know.

But not only was the death of Roger Williams little regarded by the Rhode Island of the time; his life itself had been little regarded by the Rhode Island wherewith it had been contemporary. His vocation as clergyman—a vocation which in Massachusetts or Connecticut brought respect and influence in its train—in Rhode Island brought with it chiefly contention; for where almost all were prophets and exhorters, it must needs be that there were few to listen and obey. And the case was no better with respect to the doctrine of the Freedom of Conscience. All Rhode Island, whatever else in the way of set declaration it did not subscribe to, subscribed to that. The mere circumstance that Williams had announced the doctrine in New England a little earlier and a little more understandingly than his associates availed him nothing for prestige.

What served chiefly to gain for the founder of Providence the esteem of his fellow-citizens was the fact, first, that he was by far the most influential

man in New England with the Narragansett Indians; and, second, that through his relations with Sir Henry Vane it had been rendered feasible to secure a patent erecting the Narragansett settlements into a commonwealth. Yet even in these matters it need hardly be to our surprise that the people grew somewhat weary of him. He had a proneness—due largely no doubt to his clerical training—to assume as of right the *role* of mentor; and coupled with this was a tantalizing habit of iteration. Over and over he thrust upon the unwilling ears of his neighbors words like these: “By my means a peace was made and a league between the English and Narragansetts”; “the natives called me their right hand, their candle and lanthorne, the quencher of their fires”; “the King’s commissioners said that they had such experience of my knowledge in these parts, and fidelity, that they valued my testimony as much as twenty witnesses.”

But while Williams, through circumstances and through certain personal peculiarities, met with what upon the whole must be regarded as scant appreciation even by his co-tenants of the wilderness, men of a later age have done him greater justice; and it is a task which we have proposed to ourselves in the present chapter to inquire what those qualities in and facts about him were which made him—regardless of contemporary estimate—not only the representative in New England of the time-spirit of Toleration, but in his colony a Nestor in counsel upon all great issues.

The basis of the life and character of Roger Williams was the moral nature, and to this in him the key-notes were sweetness and charity. Wherever there was darkness, wherever there was bitterness, wherever there was distress, it was the wish of this soul to administer light, healing, and consolation; and not only was it the wish, it was the unremitting practice. In 1636, "out of Pity" he gave leave to William Harris, "then poor and destitute," to come with him to Mooshassuc; in founding Providence, it was his purpose to provide a place for persons "distressed for conscience"; at the close of the Pequod War, it was his lips, and his well-nigh alone, that sought to restrain cruelty by reminding the conquerors that "the Most High delights in mercy." And when at a later time he visited England, he there found opportunity amid great distractions to perform such charitable deeds as the gathering of fuel for the London poor, and the delivering out of captivity of the unfortunate Sir Thomas Urquhart — Royalist Scot memorable for his learning, but memorable also for that happy characterization (only just brought to light) of his deliverer as a being "of inimitably sanctified parts."

Even in his declining years Williams clung to his ideal and to his habit, enjoining it upon the town of Providence

"to lay to heart as ever they look for a blessing from God on the town, on your families, your corn and cattle and your children after you . . . that after you have got over the black brook of some soul-bondage yourselves, you tear

not down the bridge . . . by having no small pittance for distressed souls."

It being the moral nature that thus in our "founder" was predominant, his intellectual qualities were those which the moral nature more especially subventions,—imagination and the philosophic reason. With him, indeed, imagination—nourished as it was upon the manna of both the Old and New Testaments—involved reason. By it he was led to view particulars in the light of generals, to apply to perplexed details the solving potency of a principle,—as when he wrote to Winthrop fearsome for Massachusetts: "Better an honorable death than a slave's life"; or to disunited Providence: "The life of love is sweet and union is as strong as sweet"; or when, in the Endicott letter, he defined conscience as "that (especially in Englishmen) which, though it be groundless, false, and deluded, yet it is not by any arguments or torments easily removed."

Moreover, and upon the other hand, imagination led him at times to focus the general in the particular, and so to make use fittingly of the picture and the parable: witness the famous likening of a commonwealth to a ship that goes to sea with many hundred souls "whose weal and woe is common." In a word, for Williams to think at all was for him to philosophize and to image forth. Does it snow? it is "the Most High besieging us all with his white legions." Does the writer ask his friend John Winthrop, Jr., to visit him in a tempestuous season? he hopes that "the Lord will

make you a blessed instrument of chiding the winds and seas." Has he occasion to allude to the struggle with the Pequods? it is "when the Lord drew the bow of the Pequod war against the country." Is he mentally distressed? "there are great ulcers in my thoughts at present which I fear are incurable." Is he in doubt? "I am like a man in a great fog. I know not well how to steer." Do the ministers of Charles II. issue a charter to Rhode Island granting Freedom of Conscience? "they, fearing the lion's roaring, couched against their wills."<sup>1</sup>

By moral constitution a humanitarian, and by mental an idealist, Roger Williams became a commonwealth-builder, and his building was according to his qualities. His humanitarianism towards the Indian begat a friendship with Canonicus and Miantonomi, whence it resulted that he became proprietor of Mooshassuc. His humanitarianism towards the white man, supplemented by his idealism, begat the design (described in Chapter IV.) of founding a community wherein the bulk of the property should be held as a joint possession — "a town stock" — out of which relief in the substantial form of house-lots, meadow-shares, and planting-ground should be extended to persons distressed for conscience whencesoever they might come.

What would have been the fate of a community

<sup>1</sup> For an eloquent yet thoroughly discriminating estimate of Roger Williams as a man and as a contributor to American literature, the reader is referred to Moses Coit Tyler's *Hist. of Amer. Lit.*, 1607-76, p. 241.

so organized, it perhaps is not difficult to tell. With its motley assortment of martyrs and of saints—each stimulated to voice himself to the full by the public endowment of his hobby—the place must have become untenable and gone speedily to wreck. Such a consummation in the case of Providence Plantations was averted by the rigorous self-seeking of William Harris. This, however, Roger Williams never came to realize, and he consequently never ceased to deplore the rejection of his project. He even from time to time sought to revive the latter, as in the proposed settlement at Wayunkeke, and in the warning to his townsmen not to tear down the free bridge by which they had got clear of Soul bondage. The result was that to the dislike for our founder based upon his attitude of mentor and critic there was added distrust of him as a practical leader.

But to be simply mentor and critic was for a man like Williams none the less to be connected with the play. The position had in it that which was congenial to his individualism, and he discharged its frequent tasks with constancy and zeal. It was from this position, for example, that in 1641 he resisted the conferring of citizenship upon the as yet unmoderated Gorton. It was from this position that in 1644 he winged his bright shaft against the "Bloody Tenet." From this position it was that in 1651 he loosed the tumultuous thunders of the letter to John Endicott, and that in 1654, on his return from England, he delivered his severe arraignment of the Mainland in its controversy with the

Island. Again, it was from this position that in 1666 he rebuked the indifference of the colony to the self-sacrifice of John Clarke; and that, between 1669 and 1680, he fulminated against the doctrine, "up streams without limits," devised by Harris for the despoiling of the Indians. Finally, from this position it was that in 1670 he made, in the letter to Major Mason, his noble appeal on the question of the Connecticut boundary, and that in 1680 he set forth the principles of taxation and government.

The deeds of Williams not recounted in the above survey—the obtaining of the Patent of 1644, the securing of the revocation of the commission to Coddington, the negotiations (both as private citizen and as colony President) with Massachusetts—were those for which, by reason of their non-administrative character, our founder was felt to be qualified, and from which, therefore, the meed of contemporary recognition was not withheld.

But whether in the short list of deeds that were recognized and commended, or in the longer one of those that though seen were disregarded, the major part of Williams's acts upon Rhode Island soil—his acts, that is, exclusive of the scheme for pensioning the persecuted, exclusive of the prosecution of Harris for treason, and exclusive of the recommendation of punishment for the Quakers—bear the impress of sound judgment. He brought to the problems and conditions of his commonwealth a capacity since seen to have been peculiarly *apropos*,—the capacity of a philosophic founder in a



place tormented by faction. Benedict Arnold, John Clarke, William Harris—all these excelled him as administrators, as men of daily affairs ; but in the great formative period of the history of their common colony, their names (synonyms for the practical) signalize but single episodes and chapters, while the name of Roger Williams (synonym for the ideal) signalizes the whole.

Indeed, in a measure exceptionally great, the history of Rhode Island down to 1683—the eve of the coming of Sir Edmund Andros as Royal Governor—is the history of Williams. It was his hands that builded at Providence and his that made possible the building upon Aquidneck. It was his doctrine of Soul Liberty that, prevailing in the earlier settlement from the first, came afterwards also to prevail in the Island. His charter it was that banded the settlements together ; his the voice of warning that, raised amid every crisis, made known the hurtful consequences of dismemberment.

Against the sombre background of early New England, two figures stand out above the rest—John Winthrop and Roger Williams. The first—astute, reactionary, stern—represented Moses and the law. The second—spontaneous, adaptable, forgiving—represented Christ and the individual. It is needless to say with which lay the promise and the dawn.

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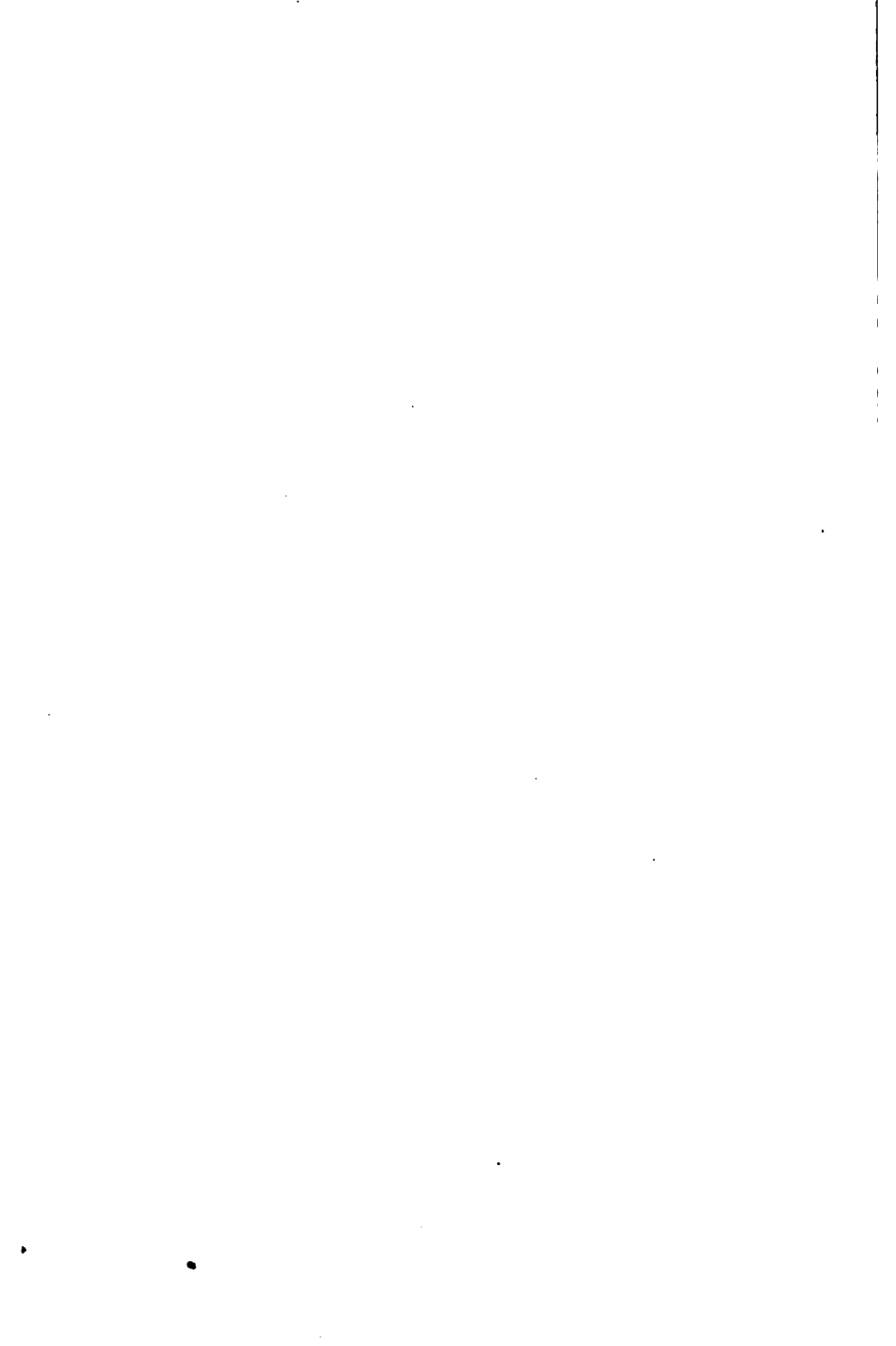
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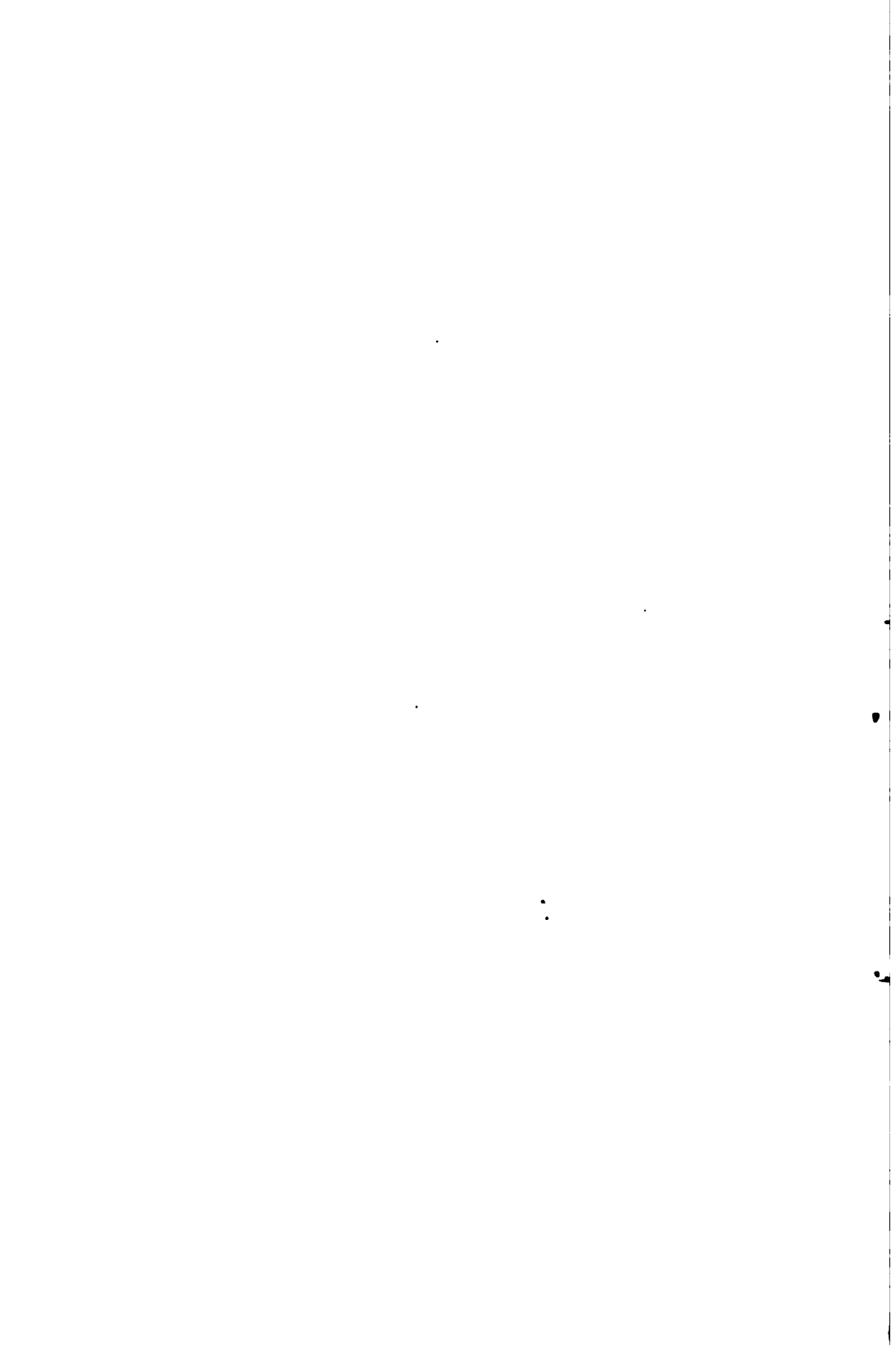
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